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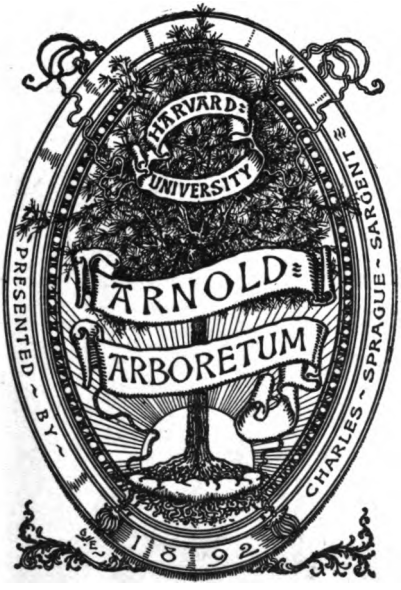

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TWO YEARS

IN

NEW SOUTH WALES.

VOL. II.

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TWO YEARS

IN

NEW SOUTH WALES;

COMPRISING

SKETCHES OF THE ACTUAL STATE OF SOCIETY

IN THAT COLONY;

OF ITS

PECULIAR ADVANTAGES TO EMIGRANTS;

OF ITS TOPOGRAPHY, NATURAL HISTORY, &c. &c.

BY

P. CUNNINGHAM, SURGEON, R. N.

IN TWO VOLUMES.

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CONTENTS

OF

THE SECOND VOLUME.

CHAPTER I.

Aboriginal black natives—Their distinguishing personal characteristics—Mode of life—Customs and manners P. 1

CHAPTER II.

Currency, or *colonial-born* population . . 46

CHAPTER III.

Retrospect of colonial chronology — Progressive improvement—Shipping and commerce—Available exports —Inland communications by rivers and roads—Colonial road making—Mode of colonial payment—Table of colonial prices 59

CHAPTER IV.

Mode of trading—Shopkeeping—Banks—Bullion and paper-money — Their relative eligibility, particularly as applied to New South Wales and other countries so circumstanced—Whale and seal fisheries—Colonial manufactures 84

Digitized by Google

CHAPTER V.

Colonial population and division of classes—General state of society—Schools—Newspapers and other publications—Turf-clubs and horse-racing . . Page 108

CHAPTER VI.

Party feuds and their causes—House of assembly and jury trial—Colonial council—Emigrants and *emancipists*—Observations on these two great classes . . 122

CHAPTER VII.

Emigration in general—The most judicious modes thereof—Unlocated portions of Australia eligible for the settler—Method of granting land—Mode of examining the country in quest of favourable tracts . . . 139

CHAPTER VIII.

Hints to the new settler, particularly with reference to his first proceedings upon his farm—Clearing and fencing—Clearing altering the temperature—Agricultural operations—Grants to emancipated convicts—Deficiency of capital—Grants to emigrants and colonial-born population 155

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CHAPTER IX.

Convict-servants—Their management and maintenance —Bush-rangers—*Pedestrian* journeys of runaways toward Ireland, China, and Timor—Piratical carrying away of ships and boats by convicts—Settlements of them upon unappropriated portions of the Australian coast Page 185

CHAPTER X.

Male convicts—Their accommodations, diet, and clothing, on their voyage out—System of management adopted by the author as surgeon-superintendent . . 207

CHAPTER XI.

The subject continued—General conduct and opinions of the prisoners—Curious particular instances . 242

CHAPTER XII.

Female convicts on their voyage out—Their general behaviour, and the system of control exercised over them — Thoughts relative to their future disposal and reform 260

CHAPTER XIII.

Suggestions toward the amendment of the present convict regulations in New South Wales, tending to render the colony available at once for purposes of punishment and reform—Remarks on the construction and discipline of jails, and on the policy of the system of *public* executions, &c. 283

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CHAPTER XIV.

Colonial government of New South Wales—Executive council—The secrecy of its sittings animadverted on—Courts of justice—Law officers—Extraordinary decisions—Distinction without difference—Value of evidence formerly in the Australian courts—Colonial magistrates and their peculiar powers—Convict hospitals—Church establishment—Government secretary, and other functionaries . . . . . Page 303

CHAPTER XV.

Australian Agricultural Company—Benefits likely to result to the colony from its establishment—Tract of land granted to the company—Port Stephens—Lunar influence—Proceedings of the company 325

CHAPTER XVI.

Australian newspapers 331

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TWO YEARS

IN

NEW SOUTH WALES.

CHAPTER I.

Aboriginal black natives—Their distinguishing personal characteristics—Mode of life—Customs and manners.

OUR aborigines appear to be a cross between the Malay and Oriental negro of New Guinea,—their mouth, and the general contour of their face, partaking more of the former than the latter character. It is singular, that in Van Dieman's Land they should again approach nearer to the negro; for considering that New Holland is interposed between New Guinea and Van Dieman's Land, you would naturally presume that its natives would partake most of the New Guinea negro appearance. If, however, we believe that the

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Oriental negroes of New Guinea formed originally the population of the greater portion of our Eastern islands, we may account for this anomaly by supposing the Malay tribes to have established themselves upon the coast of New Holland in early times, and that their descendants gradually rooted out or became blended with the aborigines. This hypothesis acquires strength from the fact that tribes nearly of a copper colour have been discovered in various parts of our continent; those at Port Macquarie being very savage and warlike, and much feared by the other natives, with whom they are commonly in a state of hostility. They are in fact pronounced to be cannibals by the others, and such appears to be the opinion generally entertained of all the mulatto tribes by their darker brethren; for at Bathurst, where the fame of these distant mulatto tribes has reached, they are described by the natives as "white fellow" that "kill and eat black fellow." Their hostility to the darker tribes may be accounted for from their being more recent invaders. It is more feasible to ascribe the above as the cause of the difference between the long frizzly-haired native of New Holland and the woolly-headed native of Van Dieman's Land, than to suppose that Van Dieman's Land had been peopled direct from New Guinea

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without the intervention of Australia. The New Zealanders, New Caledonians, and Friendly Islanders, are darker than the tribes inhabiting the islands more distant from New Guinea;—those of the Marquesas being about as clear-complexioned as the generality of European brunettes—which evidently shows that it is not climate, but a cross of the breed, that has occasioned this, inasmuch as the cold latitudes have here the darkest and most woolly-headed inhabitants, as we see in Van Dieman's Land and Chatham Island to the eastward of New Zealand.

Cannibalism, there is great reason to believe, has been a very general custom among all nations in the early stages of civilisation, and doubtless brought about by the instinct of self-preservation, operating through war or famine. In Otaheite, a period of scarcity is still denominated a "man-eating season," and even among our runaway convicts cannibalism is by no means rare. This practice pervades irregularly the greater portion of the Indian Archipelago. If my memory is correct, it exists in the Marquesas; it also existed in the Paumatoo islands, in the vicinity of Otaheite, previous to their conversion to Christianity;—it exists still in New Zealand in full force, and among some of our own Australian tribes. The Argyle natives

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have been known to be cannibals since our first communication with them, nor do they attempt to deny the practice. A very intelligent individual in that county informed me, that he once looked into one of their *gins'* (wives') bags, and found the fleshy part of a man's thigh wrapped up therein. When I was residing at a friend's farm, about forty miles from Sydney, a party of the Argyle tribes called there, on their way downwards, after fighting with the Bathurst tribes, who had invaded their territory. One of the warriors, in answer to a question from me, held up his five fingers, to designate the number of the enemy they had killed; but it was not till some hours afterwards, that I learned a female had made one of the number, her breast having been detected in one of the bags carried by the *gins*, which they unhesitatingly declared it to be their determination to eat, saying that the remainder of the woman had already been devoured. This spectacle was witnessed by at least twenty individuals upon the farm, and therefore I could have no doubt of the fact. The bones of the stockman lately killed in Argyle were found by Captain Bishop clean picked.—It is curious, that cannibalism, as far as I have heard in this buarter, exists only among the tribes where there are no hereditary chiefs, nor indeed, I may say,

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any individuals possessing authority, except what their own strength and bravery, and the attachment of their connexions, afford. The Marquesans, Paumatoo Islanders, New Zealanders, and New Hollanders, are all of this class; their form of government, such as it is, being purely republican, without distinction of rank.

In no portion of our territory have our aborigines made much progress in civilisation, and in none less than within some hundred miles round Sydney,—those to the north (and those to the south too, if we may believe accounts) materially excelling our old neighbours. At Port Stephens, northerly, commences a better order of things among the tribes; something of chieftainship being apparent, and all of them building comfortable huts of tea-tree bark, capable of containing a number of persons, which they clean daily. The Port Stephens' natives have in fact civilised in some respects those of Newcastle, by their mutual intercourse; for the latter are certainly a superior race to those of the interior, and *very* superior to those about Port Jackson. At Western Port, and other places southerly also, it is said that the natives construct comfortable huts and even villages to reside in,—a point wherein man appears first to elevate and distinguish himself above the common

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brute creation; but to this point our Cumberland tribes have never yet attained, still contenting themselves with the shelter afforded by the enchanted mansion of Hudibras, "With roof of air and walls of wind,"—a good fire, and a slip of bark, or bough, placed to windward for shelter, gratifying their most exalted wishes. Indeed, I have often seen them *prefer* the open air to the shelter of a hut even in a cold night, as was fully proved when Governor Macquarie humanely but unavailingly built a village for their residence, which was soon suffered to fall into decay—King Boongarre appearing to think very lightly of the governor's judgment in providing such a hamlet, by the contemptuous shrug he gave in replying to a question "how he liked the houses?" "Murry boodgeree (very good), massa, *'pose he rain.*"

The natives throughout the county of Cumberland have become so much dependent upon the whites, that without what they beg, earn, or steal, they could not well exist. Many of these men work upon the settlers' farms at odd jobs throughout the year, and also at harvest of late. Indeed it seems probable, that with proper encouragement and good treatment, numbers of the more civilised natives may turn out useful members of society. A gentleman at Mulgoa, bordering on the Blue

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mountains, had, in 1826, thirty acres of wheat reaped by a party of them in fourteen days as well as by whites. They were always out before the whites in the morning, and were fed and paid a regular price for their labour, the gentleman giving it as his opinion, that the chief cause of dislike to work on the part of the Cumberland blacks, is their being cheated by the small convict settlers.

The Sydney tribes live chiefly by fishing, being supplied with hooks and lines by individuals in the town, to whom they bring all the fish they catch, receiving payment in old clothes, bread, and rum.

The most disgraceful scenes of debauchery originating from the traffic in the last-mentioned article have subsisted hitherto unrestrained, to which it is hoped our present excellent governor will speedily put an end. Personal prostitution among those associating with the whites is carried on to a great extent, the husbands disposing of the favours of their wives to the convict-servants for a slice of bread or a pipe of tobacco. The children produced by this intercourse are generally sacrificed, as is also one of the children in twin cases,—the husbands usually enforcing the death of the former, and want of sufficient sustenance compelling the mothers to kill the latter. On

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Boongarre being once remonstrated with for allowing a woman to destroy a twin child, he shrugged up his shoulders, and merely said, "*Bel boodgeree* (not good) *kill it pickaninny*," but made no subsequent efforts to check the practice.

The women every where, that I have seen, wrap themselves in some species of cloak made of opossum skins, or else in a blanket, but the men walk carelessly about quite naked, without betraying the least shame; even many at this day parading the streets of Sydney in *natural* costume, or with a pair of breeches probably dangling round their *necks*, which the modest-meaning donor intended to be applied elsewhere. It is amusing to see the consequential swagger of some of these dingy dandies, as they pace lordly up our streets, with a *waddie* twirling in their black paws. No Bond-Street *exquisite* could ape the great man better, for none are better mimicks of their superiors; our colonial climatised females mincing it past these undraperied *beaux*, or talking with them carelessly face to face, as if unconscious of their nudity;—while the modest *new-comers* will giggle, blush, cover their eyes with their fingers, and hurry confusedly by.

All the natives round Sydney understand English well, and speak it too, so as to be understood

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by residents. The Billingsgate slang they certainly have acquired in perfection, and no white need think of competing with them in abuse or hard swearing, a constant torrent of which flows from their mouths as long as their antagonist remains before them; it is of no use for him to reply, his words being quickly drowned in the roar of cursings and contemptuous appellations. I have often stood for a considerable time witnessing contests of this kind, our native satyrs invariably forcing their opponents to retrograde, while the instant *blacky* perceives *whity* beating a retreat, he vociferates after him—"Go along, you dam rascal; go along, you dam scoundrel; go along, you dam blackguard!" exalting his voice as his enemy retires. But should this volley of abuse provoke "white fellow" to run up and offer to strike him, "*blacky*" would dare him to do so, threatening him with *the jail* and *Massa Wenta*,* if he attempted it. The wisest course, perhaps, is to turn a corner and get out of sight as quickly as possible, for even escaping into a house and shutting the door is no protection, as some of the most *steely-tongued* will sometimes halloo in at the window, or even through the key-

* Mr. Wentworth, police magistrate.

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hole, as long as they think you are in hearing. Their common practice of fighting amongst themselves is still with the *waddie*,* each alternately stooping the head to receive the other's blows, until one tumbles down, it being considered cowardly to evade a stroke. Most of them, however, can "show off" in the true Belcher style; and indeed I once witnessed a battle in the streets where the attitudes and *squaring* would have done honour to the London ring, many well-put-in blows too being exchanged, though certainly there was much more *chaffing* than *fighting* in the case,—an active humorous little boy appearing to turn the whole into ridicule by dancing round and between the combatants with uncouth grimaces and gestures, flourishing his waddie and singing in accompaniment to his pranks.

As beggars, the whole world will not produce their match. They do not attempt to *coax* you, but rely on incessant importunity; following you, side by side, from street to street, as constant as your shadow, pealing in your ears the never-ceasing sound of "Massa, gim me a dum! massa, gim me a dum!" (dump.) If you have the fortitude to resist *firmly*, on two or

* A sort of club.

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three assaults, you may enjoy ever after a life of immunity; but by once *complying*, you entail upon yourself a plague which you will not readily throw off, every gift only serving to embolden them in making subsequent demands, and with still greater perseverance. Neither are their wishes moderately gratified on this head—less than a dump (fifteen pence) seldom proving satisfactory. When walking out one morning, I accidentally met a young scion of our black tribes, on turning the corner of the house, who saluted me with "Good morning, sir, good morning;" to which I in like manner responded, and was proceeding onwards, when my dingy acquaintance arrested my attention by his loud vociferation of "Top, sir, I want to peak to you." "Well, what is it?" said I. "Why, you know, I am your *servant*, and you have never paid me yet." "The devil you are!" responded I; "it is the first time I knew of it, for I do not recollect ever seeing your face before." "Oh yes, I *am* your servant," replied he, very resolutely; "don't I top about Massa Oxley's, and boil the kettle for you sometimes in the morning?" I forthwith put my hand in my pocket, and gave him all the halfpence I had, which I left him carefully counting, and proceeded on my walk; but before advancing a quarter of

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a mile, my ears were again assailed with loud shouts of "Hallo! top, top!" I turned round, and observed my friend in "the dark suit" beckoning with his hand, and walking very leisurely toward me. Thinking he was despatched with some message, I halted, but as he walked on as slowly as if deeming I ought rather to go to him than he come to me, I forthwith returned to meet him; but on reaching close enough, what was my astonishment on his holding out the halfpence in his open hand, and addressing me in a loud, grumbling, demanding tone with—"Why this is not enough to buy a loaf! you must give me more." "Then buy *half* a loaf," said I, wheeling about and resuming my walk, not without a good many hard epithets in return from the kettle-boiler.

Toward the Hawkesbury and Cow-pasture, the aborigines are not near so debased as around Sydney, and most of them will live in huts if they are built for them. Many of these too will work at harvest, and attend to other matters about the farm, having been brought up from infancy among the farming whites; but their working is only by fits and starts, little dependence being to be placed thereon. Several are employed and paid as constables, and many now retained on clothes and rations, in pursuance of Governor Darling's admi-

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rable regulations, for tracking thieves and bush-rangers. Like all human beings similarly situated, whose existence depends on the acuteness of their external senses, they possess amazing quickness of eye and ear, tracing a man's footstep with perfect ease through every description of country, provided it is only sufficiently recent, and that no rain has fallen in the interval. They will guess, too, very correctly, *how long* the individual has passed, and tell whether it is the bare footstep of a white or a black man, by the nature of the impression. I even knew an instance where the tracker pronounced the robber to be knock-kneed; and his surmise turned out to be just. The thieves will often wade up rivulets, or set fire to the grass, to throw the natives off their track, so sensible are they what vigilant pursuers they have to deal with; and if they cannot do this, they will separate and make off in different routes to confuse them.

The Newcastle natives, and all the coast tribes northerly, are docile, obliging, and very willing to do occasional work, if it be not hard; but *Johnny M'Gill*, and *Jemmy Jackass*, from the Newcastle settlement, are certainly a remarkable exception to the general body, as these individuals cleared ten acres of heavy-wooded land for the missionary at Reid's Mistake, as well and as quickly as

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could be done by white people. These two natives, and another named *Bob Barret*, accompanied Captain Allman, the former humane commandant of Port Macquarie, to that settlement, where he had been despatched to establish a penal station; and they proved of eminent service to him as bush-constables in tracing and apprehending runaways. Certainly three more powerful intelligent men he could not have selected, and such good marksmen were they, that every living thing would drop before the muzzles of their pieces, nothing chagrining them more than missing their aim. Bob Barret pathetically laments to this day the snapping of his fusee at a desperate bush-ranger, at Port Macquarie, long a pest to the settlement, who through that mishap escaped for a time. Their names having been given to these three men by the whites, they, like all our blacks, are proud to be known thereby,—the first request they make of a white, being to *name* them. A brass or tin plate, with an inscription, is also a great desideratum in their eyes, to hang round their necks, giving them much additional consequence in the estimation of their tribes; but, as I have already said, no one possesses authority farther than what his own arm or greater intelligence can command. Most of them possess great powers

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of mimicry, bringing to your recollection as vividly the individuals they are imitating, as if the latter were strutting in *propria persona* before you; while their drollery and wit are often considerable, and they apply nicknames happily, thus denominating one gentleman here with a wry mouth, *Wullywally*—from that feature resembling a twisted fruit so called;—another, with an impediment in his speech, *Coorakabundy* (the frog), from his peculiar articulation; and a third *Parembang* (emu), from his singular walk. The gentleman with the wry mouth being commandant at one of the out-settlements, the natives took it into their heads that this was an *esssential* of *governorship*, and they could not contain their astonishment on finding, upon inquiry, that the "cobawn (big) gobernor, had not mout *so* (screwing theirs into the appropriate shape), like the *narang* (little) gobernor."

The most comically skilful of our Australian Matthewses at "taking off to the life" the various "eminent men" among us, is Bidjee-bidjee, an entertaining *droll*, residing at Kissing Point, on the Paramatta river. The powers of mimicry possessed by this person are most exquisitely graphic. Among the "distinguished characters" who have visited our shores, none afforded greater conversa-

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tional amusement, or had more *pipes** blown about in his ironic praise, than Beau V——, the son of a "far-famed and far-noted" London tailor, who deeming his education incomplete without a finishing trip to the fashionable shores of Botany, had furnished himself with every requisite to enable him to appear with eclat among our "first circles." His ultra-dandyism of speech, dress, and manner, made his presence a sort of *sine qua non* in every merry meeting, as the amusing lion of the day; and to a party of this description, assembled at the beautiful Chinese mansion of our excellent naval officer, Captain Piper, the soul of Australian conviviality, the Beau (as he was commonly denominated) received the usual pressing summons to *honour* it with his presence. Never was this personification of bodkin chivalry seen in a higher pitch of pride and glee than on the eventful night, when skimming round and round in the magic mazes of the waltz with one of our pretty young currency *belles*; his head twirling awry, now this way, now that, in languishing dandy perfection, and his body bent stiffly forward into that twisted lumbago-like stoop,

* *Pipes*, a colonial term for pasquinades and squibs, personal and political, now no longer necessary, since the institution of a free press has conferred on satirists and libellers a more suitable field for their achievements.

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unattainable except by *exquisites* of the highest caste. But while revelling in the joyous consciousness that all the fair and fond eyes in the room were rivetted upon the attractive graces of his person and movements, a sudden and boisterous peal of laughter from the crowded circle of gazers, caused him to cast his eyes around in circumvolutionary unison with his heels, when, to his inexpressible horror, what should present itself at his very elbow but a sort of goblin *fac-simile* of his own person, in every particular except that of a white face, skimming round and round, in exact imitative concord with his own manner and movements? This was no other than the facetious Bidjee, who, while enjoying a delighted peep through some secret crevice, was seized, on beholding the fantastic twirlings and twistings of the tailor, with as strong an imitative dancing mania, as if he had been bit by a tarantula, and, being fitted with vestments suitable to the personification of the character by the wags in the room, had skipped thus unexpectedly into the centre of the company, and commenced waltzing about in exact conformity to the movements of the dandy.

It was our good-humoured facetious Boongarre, of whom the story is told about the mulatto child which his *gin* brought forth. If you ask Boongarre

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about it even now, he will shrug his shoulders, laugh heartily, and exclaim, "Oh yes! my gin *eatit too much white bread!*" accompanied by that sort of knowing humorous look which shows he both understands and relishes the import of the joke.

These savages possess a natural politeness, and most of them soon learn to improve their carriage and manners by studying those of the better bred among the whites; while, in a *dignified* smile and bow, none will exceed some of our dingy neighbours. They often display uncommon tact and cunning in the management of matters suitable to their own interests, and will frequently outwit the most wary. A young friend of mine happening by accident to shoot a long-legged wader, named here a redbill, (a frequenter of a pond on his father's property which he had been particularly desired not to harm,) had almost forgotten the circumstance, till one day he was tasking a native about stealing some corn, an offence which the latter most stoutly denied; but my friend pushing the evidence so closely home that he was on the point of being silenced, his *gin*, who had been listening to the dialogue, (perceiving her husband about to be overpowered,) shouted out, "Ah Massa William, *who shoot de redbill?* I tell you fader!" thus

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turning the tables, and forcing Massa William to compound matters for mutual advantage.

At the period of the murders committed by the *blacks* at Hunter's River, a number of them had assembled in the house of Mr. Scott, a most active magistrate there, to whom they were all much attached, when one, before observed to be particularly sullen, suddenly started up, and pointing at another native opposite, exclaimed with loud indignant voice and emphatic gesture, "Dat dam black fellow killit white fellow * over yonder!" The moment this sentence was uttered, the accused individual started up, darted out at the door, and bounded into the forest like a fleet kangaroo, as if conscious of the truth of the charge. This person having been always a great favourite with every one on account of his activity and intelligence, and his hitherto uniform attachment to his white brethren, made Mr. Scott feel rather incredulous still about the guilt of his dingy friend, notwithstanding the apparent proof of it displayed by his flight; and on investigation found out that he was not within fifty miles of the white men on the day they were murdered, and that the secret of the affair consisted in the accused having be-

* It is long before the natives of Australia can pronounce the *f* or the *v*.

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come enamoured of the accuser's *gin*, and by the usual *waddie* mode of settling all points of dispute, having not only proved his superior title to the lady's hand, but charmed her into a *sudden* affection for her "gentle suitor" besides.—Indeed, nothing can be more sentimentally romantic than the histories of their loves; and it is not without some degree of apprehension that I venture upon a brief detail of them, lest the novel-reading nymphs of England should become so enchanted with my story as to listen to wooings in no other strain.

It being a point of strict Australian etiquette always to select a spouse from a stranger tribe, the love-sick youth, "sighing like a furnace," sallies forth secretly in the night, accompanied by a stout band of his companions, who, falling upon the slumbering relatives of the lady with their *waddies*, soon *convince* them of the propriety of the match; while the equally assiduous swain, by the same moving appeal to the sympathies of his mistress, speedily secures also her *tacit* acquiescence in the matter. Now lovingly pulling a heel over each shoulder, or by some such tender and interesting mode of effecting an elopement, the coy maiden is forthwith conveyed to the bridal chamber, formed of a few slips of bark, or a branch of a tree stuck to windward to ward off the "peltings of the pitiless

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storm," where the marriage is consequently celebrated, providing the lady has only the good fortune to survive the courtship.

They are very acute in drawing distinctions between the various classes of white people they come in contact with, behaving to them with a comparative difference, according as their relative ranks demand; and the manner in which they show this, is sometimes very characteristic and amusing.

A resident here in travelling through the woods, accompanied by a white servant and a party of blacks as porters of his luggage and conductors of his route, halted to bivouac for the night, when his black friends, after accommodating him with a fire, lighted one for themselves at a very respectful distance, and by his desire commenced cooking a brace of birds for his and the servant's supper. Feeling somewhat of a keen appetite after so long a walk, the servant was despatched to ascertain what advance had been made in the roast, who returned smiling to his master with the agreeable and facetious report, that the supper was not only ready for serving up, but dressed too in strict conformity to the established rules of etiquette, for, on observing the one bird roasting aristocratically upon a wooden spit, and the other, broiling vulgar-wise, upon the embers, he inquired the cause

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of the distinction, and had it satisfactorily cleared up by the pupil of Kitchiner, who, pointing first at the spitted and then at the broiling one, exclaimed in conscious pride at his ingenuity, " Dat gepple-man, dat poor man."—All those, however, more recently brought into contact with the whites, imitate strictly the custom of the latter in denominating them " black fellows," by retorting back the epithet of " white fellows" when speaking of their brethren of that colour with whose names they are unacquainted.

Proceeding up to my farm on Hunter's River, I chanced to stop for the night at the house of a gentleman during the maize-harvest, in the pulling and carrying of which, about fifty blacks were busied, all of whom he was rewarding for their day's labour with caldrons of boiled pumpkin for supper, among which they dived with such speed with spoons, flat sticks, and fists, as soon unveiled the bright bottom of the boiler.

On opposite sides of a brimming potful, placed at regal distance from the vulgar herd, sat King Cobera and Mary his queen, too agreeably occupied with their wooden spoons to take heed of my formal introduction to them, Cobera never withdrawing his eye an instant from the pot, as long as a nut-shell measure of its contents remained; when

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throwing himself back, and surveying his alder-manly-rounded paunch with a sort of epicurean delight, he stroked it gently down with his left hand, grunted out "Belly brokit," and turned round toward my host, who was then addressing me. For the first time he now seemed to be aware of my presence, and commenced scanning me from head to foot with a most inquisitive eye, while lolling out every now and then a "fathom of tongue" to take another parting lick at the spoon, and satisfying at length his ocular survey, hiccuped out (while almost poking his spoon into my eye, as I leaned over him, to point me more positively out,) "What dat white fellow name?"

In calling to each other at a distance, they make use of the word *Coo-ee* as we do the word *Hollo*, prolonging the sound of the *coo*, and closing that of the *ee* with a shrill jerk. This mode of call is found to be so infinitely preferable to the *Hollo*, both on account of its easier pronunciation and the great distance at which it can be heard, as to have become of general use throughout the colony; and a new comer, in desiring an individual to call another back, soon learns to say "*Coo-ee* to him," instead of "*Hollo* to him."

Although I have now taken out upwards of six hundred convicts of all descriptions, versed in

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every species of cunning, address, and plausibility, yet none of that number ever exceeded in these particulars a bush acquaintance of mine on Hunter's River, of the name of Ben. This fellow was really such a consummate knave, that he for a long while imposed upon me as being one of the most open, candid, and staunch friends I had. He was an accomplished thief, and whenever he exercised that calling, would instantly run and acquaint me that *such another* black had done it! telling, at the same time, the individual whom he had charged with the theft, that I was *going to shoot him*, to make him run away, and thus to convince me of the truth of the account: when at length detected in any instance, he would turn the thing off with so much nonchalance, that you were almost persuaded it was not his intention to *steal*. This man never for an instant lost his self-possession, nor appeared offended with the charge you made; but would coolly and quietly make his declaration of innocence, or *innocent motives*, as if he felt so conscious of his rectitude, that all your reproaches could not anger him. I had frequently, at his solicitation, given him a loaded musket, to shoot a kangaroo for me; but Ben never yet succeeded in this, having either *missed* or *wounded* them only—some such excuse being always ready; till, observing me invariably examine the piece,

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to ascertain if it had been discharged, and seeing that I would no longer be put off with such prevarication, he fell upon another plan. On his begging most fervently one day for the musket, I at last assented, telling him if he fired this time and did not kill, he should never have the loan of it again. To this he agreed, and away he went, but returned in about three hours, declaring he could see *none*, and coolly asked me for some *wickeye* (bread) and *cudgel* (tobacco) for his *trouble.* I sounded with the ramrod, and finding the charge still in the barrel, forthwith complied with Ben's request; but a few days after, wishing to fire off the charge, the powder flashed so often in the pan, that I drew out the loading, and soon had my wonder cleared up at its frequent flashings, (notwithstanding all my pricking and priming,) on finding the load to consist merely of paper, grass, and small stones, so firmly rammed together that it was with great difficulty I could extract them! I found afterwards that my knave had shot a kangaroo *every day* whereon he had borrowed the musket; but deeming the *whole* better than the *half,* had concealed them in the bush to be devoured at his leisure. This fellow possesses great influence among the neighbouring tribes, and has been the principal leader and instigator of all the

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murders and robberies committed by them of late on Hunter's River.

They are excellent marksmen when accustomed to the musket, and dangerous subtle enemies when at variance with the whites, as, from their quickness of sight, they can detect instantly the smallest object moving in the woods, and track readily almost every animal that perambulates the forests. Therefore it is quite impossible to surprise them, at any time except early in the morning, through the assistance of a native guide: while they can always steal in upon the whites, by gliding from tree to tree; for even when you do see them, it is no easy matter to distinguish them from a burnt stick. They are fearful to attack the whites, though ever so few in number, *if armed with muskets*, knowing the unerring destructiveness of those weapons; and the best way of retreating safely is, by only pointing the musket at them, to keep them at bay,—as the moment it is fired they rush in and spear their victim. During the harassing warfare with them in 1816, a stockman told me, that while watching his cattle, and amusing himself in carving a walking-stick, with a fine kangaroo dog beside him, he was startled several times by the loud snorting, snuffing, and restlessness of the herd, betokening somewhat dis-

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agreeable to them at hand; but although examining carefully with his eye every object around, he could perceive no cause for their alarm, till a sudden whizz pointed out his cunning enemy, the spear passing him, and pricking his canine companion to the ground. The savages, who had closed upon him in a semicircle, as is their usual way, gave a tremendous shout, and let fly a shower of spears, which he evaded by crouching behind a tree; and seizing his musket, he kept them from closing, retreating slowly toward home, till he saw a fair chance for a race, when bolting off, with the savages yelling at his heels, he gained a river, and crossed it by swimming, in defiance of them all.—The cattle have a particular dislike to the smell of them, as I have often seen these very restive, even when they could not see the object of their olfactory antipathy; and whenever they meet with natives in the bush, they either run from them, snorting and kicking up their heels, or pursue them as if furiously mad, making them clamber up the trees with the nimbleness of monkeys.

In common with almost all savages, revenge with them is never satiated till quenched in the blood of an adversary. Like the Chinese, they are not particular about the person; but if a *white*

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injures them, they generally satisfy their rage upon the first of that colour they can conveniently meet with. They know not, in their wild state, what it is either to *forget* or *forgive*; and when once they murder a white, always expect to be retaliated upon for it, whatever appearances of friendship the other whites may put on,—still believing they are yet to suffer, and that only fear or want of opportunity prevents a reprisal. Hence, until some of the tribe are killed by the whites, they never conceive themselves safe, and usually continue their murderings until, in retaliation, blood is expiated by blood. Throughout the county of Cumberland, in 1816, and more lately at Bathurst, the most dreadful excesses were committed by them till hunted down by bodies of soldiers and settlers with the aid of other natives. Many, very many lives might have been saved, had timely and efficient means been adopted; for it has been observed that the various tribes of savages have always one time or other essayed a trial of strength with the whites, and when once fairly satisfied of their inferior power, live ever afterwards in perfect harmony with them.

They had often, no doubt, just cause of hostility in the misconduct of the convict stockmen; but as he innocent suffered equally with the guilty in

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their murderous assaults, and it was known that forbearance only rendered matters worse, determined means ought to have been instantly adopted to crush the hostile confederacy. In the late murders at Hunter's River, however, their conduct was marked by circumstances of the most cowardly wanton atrocity. Mr. Greig, a Scotch settler, had located himself upon that river, about ninety miles inland, and business calling him to Sydney, he left his cousin, the son of a dissenting clergyman in Fife, to manage his affairs, assisted by an Irish convict servant, lately arrived. Their remote insulated situation appears to have prompted the blacks to the resolution of murdering these two unfortunate men, and plundering the premises. With this view they approached in their usual friendly manner, and, while Mr. G. was sitting upon a log-stool, close to the hut-door, reading Burns' Poems, a tall, lame, villanous-looking ruffian, named Nullan-nullan (or the *beater*), glided behind him with a tremendous club, and by a blow upon the back of the head plastered the floor and wall of the hut with his brains. The poems appeared to have shared a portion also, but what is singular, were regained after being a month in possession of the savages, without the destruction of a single leaf. When discovered two days after,

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Mr. G.'s skull was as clear of brains as if they had been licked out by a dog,—supposed to have been the work of these cannibals. The servant was found about sixty yards off, covered by a few branches,—the house being plundered of every thing useful to them, and the spoil divided equally among the tribes present. The sheep were all discovered pasturing near the place, watched by a faithful Scotch collie. Dreading pursuit, they set off immediately to pay a visit to the Richmond blacks, and on return to their old haunts, chased several mounted settlers on the Bulgar road, and paid a visit to a stock hut inhabited by three freemen, at Putty, to whom several of them were known. Here they reacted their former atrocities, first cunningly borrowing the fowling-pieces on pretence of shooting a kangaroo, and setting one of their *gins* (wives) to amuse and deceive their entertainers by singing "Johnny stays lang at the fair;" the crafty wretch actually substituting the name of the intended victim for the *my*, in "to tie up *my* bonny brown hair." While the unfortunate man's attention was occupied by the wiles of this she-devil, one of the gang slipped behind and felled him dead with his "waddie;" the second white being assailed, beat senseless, and left for dead by the wretches outside of the hut;—while the third,

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who witnessed the fate of his comrade, escaped to Richmond, and gave the alarm.

A party of constables and soldiers was forthwith despatched to punish the murderers, and near the scene of these atrocities fell in with a recent native track, which was followed until a horde was discovered in a small valley. The party presented their pieces, and ordered them to surrender, upon which they all jumped up and bounded into the woods; but one bold fellow shamed a number of them to stop and give battle, fearlessly advancing in front, brandishing his spear, and shouting, "Come on, white fellow—black fellow no *jirrand*" (afraid). While in the act of throwing at a soldier, he was, however, wounded by a constable, when all started off yelling in chorus together. Wishing to secure one of the group to obtain information, a female with a child on her shoulders was pursued, as the most likely to be caught; and here a striking instance of parental affection was displayed. Though she must have expected to be shot every instant, and even in case of being taken to die, in conformity with their own customs, yet she nobly determined to risk her own life to save that of her infant, and ran on with it, screaming to the father for help. At length, exhausted by her efforts, she sank with her load in a soft marsh,

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and all hope appeared to be vanished, when the infant's father suddenly made his appearance on the brow of an adjacent height, in fearless defiance of his enemies, and announced his presence by a loud shout. On seeing succour near, she quickly pushed the child along toward its father, who encouraged it, by cheering shouts and clapping of the hands, to approach him; while the little creature, as if aware of its danger, clambered up the face of the hill with amazing rapidity, mounted its father's shoulders, and both quickly vanished in the woods. It turned out afterwards that this was unfortunately a friendly tribe, who had nothing to do with the murders, although in company with the others after the deeds were done; but from the female they gleaned all the requisite information regarding the guilty gang. The two whites were found in the hut, one quite dead, but the other sufficiently sensible to give a clear account of the whole affair.

You must never strike one of the wild natives, unfamiliarised to Europeans, even if you detect them in theft,—or they will revenge themselves by taking your *life* some time or other if you do not thoroughly pacify them; for in their barbarous state, a *man's* life is as little thought of as that of a *butterfly;* nor must you either show fear or

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bluster over them, when you are in their power, both tending to make them put you to death, but look and act with cool determination, and as if you placed the most perfect confidence in them.

A fine instance of intrepidity and of the influence of female power over the minds even of rude savages, occurred in 1826, at Hunter's River, during the period that several atrocities were committed by the blacks upon the whites there. The natives around Merton, the residence of Lieutenant Ogilvie, R.N., had remained all along on the most friendly terms with his establishment, but during his absence were provoked into hostility by a party of soldiers and constables, who had wantonly maltreated them. Mrs. Ogilvie was at home, surrounded by her young family and a few domestics, when the loud and threatening yells of a body of savages, who had surrounded her dwelling, suddenly aroused her attention, and made her summon all her energies to face the impending catastrophe. They had seized on two constables within a few yards of the door, whom they were shaking by the collars, and reproaching in the most bitter terms their slight knowledge of English would admit of, preparatory to beating their brains out with their waddies, when Mrs. Ogilvie, rushing fearlessly in among the brandished

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clubs and poised spears, by the firmness and persuasiveness of her manner, awed and soothed them into sentiments of mercy, and in half an hour they parted with all the members of the establishment upon the most cordial terms, the leaders of them not forgetting, however, after exhausting their friendly hand-shakings and good-byes, to turn half round, rattle their spears, and exclaim in an admonitory manner and tone, "Tell sodja nibba come meddle Massa Ogilvie black." If you misrepresent any thing, either, which falsity they afterwards detect,—or make a promise which you do not keep, they will never confide in you again. They possess some feelings of superstition,—for it can scarcely be called religion, since it neither influences them to the commission of good actions, nor deters them from the perpetration of bad. They believe in a good spirit, which they call *Koyan*, and in an evil spirit named *Potoyan*. The former is held to watch over and protect them from the machinations of the latter, and to assist in restoring the children which the other decoys, to devour. They first propitiate Koyan by an offering of spears, then set out in quest of the lost child; which, if they discover, Koyan of course obtains the credit, but if it is not to be found, they infer that something has been done to incur his

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displeasure. Potoyan strolls about after dark seeking for his prey, but is afraid to approach a fire, which serves as a protection against him; therefore they are neither fond of travelling after dark, nor of sleeping without a fire beside them. The Sydney blacks make a large fire, and sleep around it; but in the interior they coil themselves singly round one which you might put in the crown of your hat.

Potoyan is provoked, however, if you swing a fiery stick round! "Don't, don't!" the timid ones will say, "Devil—devil come!" his usual mode of announcing his approach being by a low continuous whistle, *like* a gentle breeze singing through the branches of a tree, which Potoyan's whistle doubtless *is*. A gentleman at Newcastle took advantage once of this circumstance to clear his veranda of a group of these believers in the powers of Potoyan, who had huddled-together in it for the night, but were keeping both themselves and the proprietor in sleepless purgatory by the incessant and discordant clacking of their tongues. Seeing no likelihood of getting rid of this annoyance, he slipped gently to the window, opened it quietly, and quavered forth Potoyan's portentous whistle. A confused low muttering was first heard, then followed a deadly silence, as if all ears were

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eagerly listening to make out the sound;—when again tuning his pipe, up they started and bolted nimbly off, never making a bed-chamber of the same veranda again! Though brutal often to each other, and killing without ceremony their new-born children when means of support are denied, yet those they do rear are tended with great affection, and their sorrow for the loss of relations, though brief, is acute.

They are not over-delicate in their food at any time, but more particularly when hunger presses; grubs, snakes, stinking whales, and even vermin, being then all eagerly gobbled up,—so that when every other resource fails, like the monkey tribe they pick their breakfasts off each other. In hunting the kangaroo, emu, and opossum, they display great quickness of sight and sagacity, often walking up close to the two former by dodging from tree to tree, and spearing them before they are aware of the vicinity of their enemy.—On passing through the wood, they examine every tree with a hole or hollow limb in it, and also all the adjacent trees, for marks of the opossum's claws; because the opossums often run up a neighbouring tree and jump to the one wherein their retreat is, to avoid being traced. On the claw-marks being discerned, they climb up by

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successive notches in the bark, to place the great toe in; and reaching the hole, probe it with a long stick, the feel of which when it reaches the bottom of the hole tells them whether there is an opossum there or not. If they cannot now reach the opossum with their hand, they cut a hole a little way above it, then probe well again, to make it hide its head, thrust in their hand, and seizing the animal by the tail, pull it out, and kill it by a swinging dash against the trunk of the tree.

They are very fond of having their hair cropped by a white, on account of the comparative quickness and ease with which the scissors perform the operation, to their usual instrument—a shell. On my first taking up my abode in the vicinity of some tribes in a great measure unacquainted with Europeans, I had frequently this ceremony to perform, to amuse them, and get rid of their importunities; and whenever afterwards I chanced to meet them in the woods, they would shout loudly as soon as they saw me, and pat their heads, to show they were my old friends by the token of their cropped polls. Some were excessively alarmed on my showing them their face in a glass, one old man looking so comically grave and terrified, that I could not help laughing; and opening my

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mouth, I made a bite at his visionary head, as if going to snap it off, when he gave a sigh and a shiver—turning on one side to avoid the sight, but making no attempt to run away. I then turned the glass constantly toward his face, whichever way he twisted himself; when, as if to hide from the terrible apparition before him, he shut his eyes determinedly, as though he would squeeze them into his head, shivering like a man in an ague-fit all the while, and giving a cautious wink every now and then to ascertain if the goblin was gone! and there I stood with smiling lips and he with chattering teeth for a minute's space, till another native smoothed down his fears; but the anxious hurried look and forced hoarse laugh he afterwards gave when taking another peep, showed how little he relished the vision.

From their natural filthiness, the women soon become diseased with gonorrhœa, and propagate this infectious malady among the convict-servants who cohabit with them. I have often observed the men, too, labouring under eruptions of the skin resembling syphilis, and open tumours also in their groins apparently of the same nature; but time with them cures all disorders. I observed a man who had a stump sticking in his foot, to dig a hole and bury the wounded member in the soft

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moist earth before extracting the foreign body,—a sort of sorry substitute for a poultice.

They are lively, good-humoured, inquisitive, and intelligent, and are found to acquire the knowledge of reading, writing, &c., almost as expertly as Europeans. If their intellectual functions, then, are thus so far above debasement, how is it that the abject animal state in which they live, and their great and glaring deficiency in all the useful mechanical arts (in comparison with other savages), should place them at the very zero of civilisation, constituting in a measure the connecting link between man and the monkey tribe?—for really some of the old women only seem to require a tail to complete the identity; while the manner in which I have seen these aged beldames scratch themselves, bore such a direct analogy to the same operation among the long-tailed fraternity, that I could not, for the life of me, distinguish the difference. The quick and hurried movements and gestures of many of our natives, seem indeed closely allied to those of the wild animals of the forest; the sudden kind of bobbing-twist they give their heads, and comical ape-like mode of raising their hands as eye-screens, when looking upwards at the sun, or even at any object in the distance, resemble more the motions of some of our wild

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four-legged, than those of our civilised two-legged animals. Most of our aborigines, however, are far from ugly; nay, many of the young of both sexes are tolerably handsome; but as for the old women, they are absolute frights. We may, I think, in a great measure impute their present low state of civilisation, and deficiency in the mechanical arts, to the nature of the country they inhabit, the kind of life they lead, and the mode of government they live under.

Civilisation depends more upon the circumstances under which man is placed than upon any innate impulse of his own,—the natural inclinations of man tending toward the savage state, or that in which food is procured with the least possible effort;—there being something so irresistibly captivating in a wild, roaming life of this description, that few who have made the trial ever relish civilised society thoroughly again. It is only necessity that urges mankind to congregate in fixed habitations, and raise their food by the sweat of their brow; for if it could still be procured in as easy a way by civilised Europeans as by our uncultivated tribes, the European woods would soon abound with creatures nearly as rude and idle as our natives.

Here, though game and other articles of suste-

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nance in the interior woods be tolerably abundant, yet they are so scattered that the natives must be constantly on the move from place to place to obtain them; so that fixed residences would be impracticable; while from this constant shifting, the lighter their baggage is, the more expeditiously can they move along, and consequently only the most common and most useful utensils are carried with them.

The New Zealander is obliged to form a fixed residence, cultivate yams and sweet potatoes, and breed hogs, for his support; because the woods do not afford him sufficient game wherewith to maintain life; he ornaments his huts with carved cups and other useful appendages, to amuse his leisure hours, and serve, as objects of pride, to look at. Our Australian tribes, however, find sufficient amusement in the constant shifting of scene in pursuit of their necessary food, while by means of their perpetual wars and the practices of spear-throwing, child-murder, and concubinage, they keep down population; obtaining their livelihood thus easily through their diminutive numbers by roaming through the woods. They are never driven to the necessity of congregating, and supplying their wants by artificial means, like the natives of most of our southern islands.

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It is, I repeat, the necessity springing from overgrown population, and difficulty in obtaining food, except by artificial means, that first drives man into taking up a fixed abode: but here neither of these causes operates; those natives at all approaching to the character of "livers under roofs," being the inhabitants of some portions of the sea-coast, where fish and oysters so abound as to afford them a constant supply of food for the greater portion of the year, admitting them thus to remain for a considerable period at one spot, and inducing them to construct habitations for that period to shelter themselves in.

The mode of their government, however, is I think by far the most insuperable bar to their civilisation; and I know of no savages living in the same state, who have as yet readily been exalted above the debased condition in which they were originally found. The first symptom of advancement in a savage body is the establishment of chiefs, either elected or hereditary, to whom all pay submission, and to whose protection they trust their persons and properties. But here no such institution exists; might alone constitutes right; and as, consequently, the weak and industrious have no protection for their property against the strong and lawless, they have no inducement

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to accumulate that which may draw down violence upon their persons. In primitive communities, generally speaking, the chiefs must be hereditary, and must have acquired power to control the others, before much improvement can take place; when, if these chiefs exercise their power with justice, and secure the inviolability of persons and property, industry will soon be encouraged, and various useful arts originated. If in this state of embryo advancement, a chief of ability starts up who employs the resources of his mind in the amelioration of his people, the society he governs will proceed far more rapidly.

The North American tribes form an apt illustration of these observations,—the chiefs being mere advisers, as it were, possessing no power to enforce their counsel, and consequently no means of breaking up the old savage habits of the tribes, and impelling them onwards in the path of civilisation. The New Zealanders form an apter illustration still; no chieftains, either elected or hereditary, existing among them to enforce obedience in the community, the only sort of control admitted by the tribes being similar to that exercised over predatory banditti by their leader; for although missionaries have now been fifteen years among them, the New Zealand tribes continue to this day

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as barbarous as when those "worthy men" first took up their abode among this cannibal race. Yet what a contrast do the tribes of the same nation now exhibit in the other South-Sea islands, under a more effective system of government!

At Otaheite, the Sandwich islands, and the various other South-Sea groups now christianised, the missionaries, by securing the good-will of the absolute kings and chiefs, and gaining them over to their opinions, not only secured their own persons and property, but ultimately obtained able assistants in converting and civilising the body of the people. A degree of force we find to be absolutely necessary to urge man toward civilisation, in his primitive debased state, and cause him to break up those habits he had acquired. It is only when the mind is more enlightened, and reason supersedes animal instinct, that civilisation will steadily advance among the community by the exertions of individual members. In countries, therefore, where absolute hereditary chiefs exist, you have only to gain *them* over to forward your views; but in countries differently circumstanced, you must absolutely *secure* the young, wean them from parental influence, and infuse into them new ideas and opinions before you can make much progress. We had an institution here, in Governor

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Macquarie's time, where the native children were educated, and turned out of it at the age of puberty good readers and good writers; but being all associated together, and their native instincts and ideas still remaining paramount, they took to their old habits again as soon as freed from thraldom. Major Goulburn saw the defects of this system when he had the direction of colonial affairs, and wisely broke up this institution, quartering the boys in the Male and the girls in the Female Orphan Asylum, where, mixing with a numerous population of white children, they will gradually imbibe their ideas, and manners and customs too; and if care is only taken to provide them with humane masters, no doubt good effects will result. I have seen some native youths who made very tolerable servants for knife-cleaning and such-like, even although taken into the house after being grown up; but fixed occupations will probably never answer, for the first and second generations of these young savages, at least; the wild feeling inherent in them must have time to wear out.

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CHAPTER II.

Currency, or *colonial-born* population.

OUR colonial-born brethren are best known here by the name of *Currency*, in contradistinction to *Sterling*, or those born in the mother country. The name was originally given by a facetious paymaster of the seventy-third regiment quartered here,—the pound currency being at that time *inferior* to the pound sterling. Our Currency lads and lasses are a fine interesting race, and do honour to the country whence they originated. The name is a sufficient passport to esteem with all the well-informed and right-feeling portion of our population; but it is most laughable to see the capers some of our drunken old Sterling madonnas will occasionally cut over their Currency adversaries in a quarrel. It is then, "You saucy baggage, how dare you set up your *Currency* crest at me? I am *Sterling*, and that I'll let you know!"

To all acquainted with the open manly simplicity of character displayed by this part of our po-

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pulation, its members are the theme of universal praise; and, indeed, what more can be said in their favour, than that they are little tainted with the vices so prominent among their parents! Drunkenness is almost unknown with them, and honesty proverbial; the few of them that have been convicted having acted under the bad auspices of their parents or relatives. Nearly all the Currency criminals have, indeed, been furnished by three roguishly prolific families in the colony; and if the whole of the numbers of these have not hitherto been convicted, there are few who do not believe them deserving. This fact forms, indeed, the best test of the utility of marriage in ministering to criminal reform; for the pliable disposition of youth can, in general, be so readily bent towards good or evil, that parents have almost always the power of forming the infant mind in whatever way their own ruling inclinations may tend; and as so few of our Currency youths have been trained up in the paths of vice, we may naturally infer their parents have, at the least, made no attempts to mislead them. Hence the benefit of matrimony in a new colony does not less consist in peopling its dreary wilds with youthful and active native-born inhabitants, than in turning the inclinations of the old importations from thieving and immorality, towards honesty and

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virtue. The Currencies grow up tall and slender, like the Americans, and are generally remarkable for that Gothic peculiarity of fair hair and blue eyes which has been noticed by other writers. Their complexions, when young, are of a reddish sallow, and they are for the most part easily distinguishable,—even in more advanced years—from those born in England. Cherry cheeks are not accompaniments of our climate, any more than that of America, where a blooming complexion will speedily draw upon you the observation, "You are from the old country, I see!"

The young females generally lose their teeth early, like the Americans and West Indians,—this calamity always commencing about the period of puberty: it may possibly be ascribed to the climatising process, as we see nearly all plants and animals suffer considerable change in appearance on transplantation to a different latitude: we may therefore hope this defect will subside when a few generations have passed away. "The Currency lads" is now a popular standing toast, since it was given by Major Goulburn at the Agricultural dinner, while "The Currency lasses" gives name to one of our most favourite tunes.

The young men of low rank are fonder of binding themselves to trades, or going to sea, than

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passing into the employ of the settlers, as regular farm-servants. This no doubt arises partly from their unwillingness to mix with the convicts so universally employed on farms, partly from a sense of pride; for, owing to convicts being hitherto almost the sole agricultural labourers, they naturally look upon that vocation as degrading in the same manner as white men in slave colonies regard work of any kind, seeing that none *but* slaves *do* work. It is partly this same pride, as much as the hostile sentiments instilled into them by their parents, that makes them so utterly averse to fill the situation of petty constables, or to enlist as soldiers.

The young girls are of a mild-tempered, modest disposition, possessing much simplicity of character; and, like all children of nature, credulous, and easily led into error. The lower classes are anxious to get into respectable service, from a laudable wish to be independent, and escape from the tutelage of their often profligate parents;—and like the "braw Scotch lasses," love to display their pretty curly locks, tucked up with tortoiseshell combs—and, slip-shod or bare-footed, trip it merrily along. They make generally very good servants, their wages varying from 10*l.* to 15*l.* per annum. They do not commonly appear to class chastity as the *very first* of virtues, which circum-

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stance arises partly from their never being tutored by their parents so to consider it, but more especially from never perceiving its violation to retard marriage. They are all fond of frolicking in the water, and those living near the sea can usually swim and dive like water-hens.

The Currency youths are warmly attached to their country, which they deem unsurpassable, and few ever visit England without hailing the day of their *return* as the most delightful in their lives; while almost every thing in the parent-land sinks in relative value with similar objects at home. Indeed, when comparing the exhilarating summer aspect of Sydney, with its cloudless sky, to the dingy gloom of a London street, no wonder a damp should be cast over the ethereal spirits of those habituated to the former; and who had possibly been led into extravagant anticipations regarding London, by the eulogiums of individuals reluctantly torn from its guilty joys. A young Australian, on being once asked his opinion of a splendid shop on Ludgate Hill, replied, in a disappointed tone, "It is not equal to *Big Cooper's*," (a store-shop in Sydney,) while Mrs. Rickards' *Fashionable Repository* is believed to be unrivalled, even in Bond Street. Some of them also contrive to find out that the English cows give *less* milk and butter than the

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Australian, and that the choicest Newmarket racers possess *less* beauty and swiftness than *Junius*, *Modus*, *Currency Lass*, and others of Australian turf pedigree;—nay, even a young girl, when asked how she would like to go to England, replied with great *naiveté*, "I should be afraid to go, from the *number of thieves* there," doubtless conceiving England to be a downright hive of such, that threw off its annual swarms to people the wilds of this colony. Nay, the very miserable-looking trees that cast their annual coats of bark, and present to the eye of a raw European the appearance of being actually *dead*, I have heard praised as objects of incomparable beauty! and I myself, so powerful is habit, begin to look upon them pleasurably. Our ideas of beauty are, in truth, less referable to a *natural* than an *artificial* standard, varying in every country according to what the eye has been habituated to, and fashion prescribes.

The youths generally marry early, and do not seem to relish the system of concubinage so popular among their Sterling brethren here. In their amorous flirtations, I cannot find that they indulge in exchange of love-tokens, mementos of roses, shreds of ribbons, broken sixpences, and the like tender reminiscences, fashionable among the melting strip-

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lings of humble birth in England; the only approach to these antique customs witnessed by me consisted of a hock of pickled pork and a pound of sixpenny sugar, conveyed by way of *sap* to undermine the virtue of one of our Newgate nuns; but whether in accordance to colonial custom, or to minister to the lady's refined *penchant* for such delicacies, I cannot take upon me to decide.

A number of the slang phrases current in St. Giles's *Greek* bid fair to become legitimatised in the dictionary of this colony: *plant, swag, pulling up*, and other epithets of the Tom and Jerry school, are established—the dross passing here as genuine, even among all ranks, while the native word *jirrand* (afraid) has become in some measure an adopted child, and may probably puzzle our future Johnsons with its *unde derivatur*. In our police-offices, the slang words are taken regularly down in examinations, and I once saw a little urchin not exceeding ten years, *patter* it in evidence to the bench with the most perfect fluency. Among the lower classes, these terms form a part of every common conversation; and the children consequently catch them. An acquaintance in Van Dieman's Land, who had ordered his eldest boy to give up a plaything to a younger, only a week after arrival, was puzzled to make out the mean-

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ing of the latter, on its afterwards running in to him and calling out, "Pa! Bill has *planted* it" (hid it). In addition to this, the London mode of *pronunciation* has been duly ingrafted on the colloquial dialect of our Currency youths, and even the better sort of them are apt to meet your observation of "A fine day," with their *improving* response of "*Wery* fine indeed!" This is accounted for by the number of individuals from London and its vicinity, who speak in this manner, that have become residents in the colony, and thus stamped the language of the rising generation with their unenviable peculiarity—an explanation according with all past experience. In the north of Ireland, Scotch superstitions, Scotch prudence, and Scotch pronunciation, still strongly mark the majority of the people, though that portion of the country was settled two centuries ago by emigrants only partly from Scotland. To similar causes may be traced the various tones and expressions now prevalent in the United States. Thus the nasal twang generally current there is doubtless derived from the Puritan ancestors of New England, who would

> "Quarrel with mince-pies, and disparage
> Their best and dearest friend plum-porridge;
> Fat pig, and goose itself oppose,
> And blaspheme custard *through the nose*."

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The last-mentioned mode of disparagement may be said chiefly to arise from custard being too *profane* a word to pollute the mouth with; but even at the present day this same twang is looked upon as a peculiar recommendation by the evangelicals. Look also at the scriptural names which all the New Englanders still bear, from a proper selection of which as godly-named a parliament as the "old rump" might yet be formed.

As an instance of this inheritance of pronunciation;—I once met with a family of the name of Carr, in Upper Canada, of the third or fourth generation from Irish parentage, whose tongues had as fluent a tip of the brogue as if they had newly eloped from the bogs, occasioned by their being born in a part of the States originally settled from Ireland. A *span* (pair) of horses is a common expression through all the state of New York, and even as far as Upper Canada, originating from the Dutch portion of their ancestry, as I had afterwards an opportunity of proving by finding the same terms current at the Cape. Thus too the expressions "I guess," "I calculate," and "tarnation," are all common *English* provincialisms, and may be found in the common *parlance* of Suffolk. I recollect a party of us laughing at an American landlord who brought in a jug of water

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and apologised for its being so *riley*. We had unwittingly deemed this an American-coined word, till one of the party declared it to be his own native *Devonshire*. I once heard an American from Cape Ann use the *w* as pertly and fluently as a cockney while clamouring about his *wittals*. The Irish way too of pronouncing sea and tea is also of English provincial origin, and appears even to have been in fashionable use in the time of Dryden, and of Pope, who thus speaks (if I recollect rightly) in the Rape of the Lock:

> And thou great Anna, whom three realms obey,
> Dost sometimes counsel take—and sometimes *tea:*

and Pope had too fine an ear and too finical a taste not to attend particularly to the exact sounding of the rhymes:—such jingles constantly occur in Dryden's Æneid.

Our Currency lads are noted for spirit and courage as well as for great clannishness;—if a soldier quarrels with one, the whole hive sally to his aid; and often have they turned out at Christmas-time, and on St. Patrick's day, and beat the *redcoats* fairly into the barracks,—bludgeons, brickbats, "three-year olds,"* and fists, being all

* An Irish term for a three-pound stone.

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legalised in these *turn-ups*. *Sets-to* between Currency urchins may frequently be witnessed in the streets, attended by their seconds! on whose knees they drop at the termination of each round, and who eagerly mop their little bloody faces with their shirt-sleeves, and on *time being called*, jirk them off again with loud shouts of encouragement.

Many old pastimes of the English are kept up with great glee by their lively descendants here, such as Christmas carols and Guy Faux mummeries; numbers of our young Currency sprouts, in their motley equipments, jingling out the various rhymes on these occasions with as much drollery and glee as the most perfect English adept.

Scientific *mills* often take place, also, between *lads* of the *fancy*, for prize purses; and when it is *Sterling* against *Currency*, it is observed that *sterling* is generally at a *discount* before the winding-up of the *set-to*. On landing in Sydney during a Sunday in 1821, I encountered crowds of people posting hurriedly along our main street in loud and eager conversation; and thinking they had just escaped from church, pricked up my ears to hear their opinion of the sermon;—when, lo! the whole discussion turned out to be about the merits of a fight on the Surry hills they had just returned

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from witnessing. This paid no compliment to the activity of the police of that day, but "matters are now ordered differently in Denmark."—Whatever faults however may be found with the practice of pugilism, it is certainly a science which ought *at least* not to be discouraged; and when we contemplate the eager attempts of the "Praise God Barebones" of our time to put down this and every other manly or light-hearted amusement long prevalent among the people, we ought to pause before we sanction, even with our silence, their heedless precipitation.

It is curious to observe how differently people think, according as different customs have swayed their minds. While living in France at the house of an intelligent French surgeon, just as the dinner was carrying off the table, he observed that he had been reading in a French paper of a boxing-match in England (originating in a quarrel), wherein one of the combatants had been killed; ending his narrative with, "Oh what a brutal practice! why does not the government put a stop to these things?" I replied, that boxing was a practice of the highest antiquity, even reaching up to the time of Homer! that it served to form a manly population, and breed them up to contempt of danger; that the man who could beat another with

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his fists, would never scruple to meet him with a gun and bayonet; and hence the superiority of the English over the French at these weapons: for," said I, smiling, "as an Englishman knows he can beat *three* Frenchmen with his fists, he concludes likewise that he can manage as many with the bayonet also. But," added, I, "every nation has its peculiar method of settling private disputes; pistolling is the mode practised among the English gentlemen, and boxing among the lower orders. Small-sword, I see, is the custom with the French *gentry*; how then do the *canaille* decide their quarrels?" Silence reigned for awhile, each looking confusedly at the other, puzzled, as I readily perceived, what to answer, till a young lady exclaimed, tittering, "Avec le couteau." "Oh, very well," said I, seizing, as I spoke, a table-knife in my left fist, and presenting it as if to run my medical friend through the body, while I threatened his visage with my firmly-clenched right;—"now, which do you prefer? a blow on the face with *this*, or *this* through your bowels? Speak, *philanthropist*, speak!" I never afterwards heard another syllable about the brutality of English boxing.

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CHAPTER III.

Retrospect of colonial chronology—Progressive improvement—Shipping and commerce—Available exports—Inland communications by rivers and roads—Colonial road making—Mode of colonial payment—Table of colonial prices.

IT is as pleasing as surprising to look back to the period of the foundation of the colony by Governor Phillips, in 1788, a period of only thirty-eight years, and contemplate the wonderful changes that have been wrought by the labour of the outcasts thrust by England from her bosom, to expiate their offences on these remote shores. It could scarcely have been conceived by the first founders that, in transplanting a few incorrigible criminals into the wild woods of Australia, sixteen thousand miles distant from their native homes, the seeds of a mighty empire should have been sown, which *even at this day* far exceeds, in *rapidity of progress* toward riches and power, any founded on the American continent. Taking the events most worthy of record in the colony in chronological order, we find that the *first* landing was made on

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the 26th of January, 1788; a day still celebrated by an anniversary dinner of the respectable inhabitants, and which it is fervently hoped will never be forgotten,—as calculated to interest and encourage us by comparison of what we *were* with what we *are*, and likewise to strengthen our bond of union with the land of our forefathers. It is, besides, extremely curious to trace an intelligent, spirited, and well-principled population to sources so impure as the many criminals who have been outlawed hither, and whose offspring (although numerous highly respectable free settlers have come to Australia) still form the majority of our Currency people. Those offenders have thus atoned to society by so valuable a legacy, good being produced from evil, and the native wilderness converted into an Eden.

In December, 1789, (one year from the foundation of the colony,) the *first* harvest was reaped at Paramatta: in 1790, the *first* settler, James Ruse, took possession of his land: in 1791, twelve prisoners were located upon the Hawkesbury, who, in 1793, supplied twelve hundred bushels of corn to the public stores, being the *first* purchase of colonial grain made by the government; in 1796, the *first* play was performed: in 1803, the *first* newspaper (Sydney Gazette) was printed;—and the

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first suicide occurred in the same year by a man hanging himself in jail: in 1805, the *first* colonial vessel was built by Mr. James Underwood: in 1806, the *first* great Hawkesbury flood happened, wheat rising to eighty shillings per bushel, and bread to 2*s*. 9*d*. per pound, while a bushel of seed-maize realised the enormous sum of 7*l*.: in 1810 was the *first* general muster of the population, stock, and cultivated land; in this year, too, the *first* toll-gates were built, caterpillars *first* made their appearance, Sydney streets were regulated and named, weekly markets established there, and the *first* public races instituted: in 1813, the *first* fair was held in the colony, at Paramatta: in 1817, the *first* bank (Sydney Bank) was established: in 1818, the *first crim. con.* case tried: in 1820, *first* colonial tobacco sold: in 1825, *first* book ("Bush-by on Vineyards") *reviewed* (a premium for which review was given); in this year, too, the *first* breach of promise of marriage (Cox versus Payne) came before our colonial courts: and in 1826, the *first* public concert was held.

Such is the brief medley of our *first* deeds and our *first* fruits, in chronological sequence. Those who have not seen the gradual development of these things, but merely contemplate the colony in her present stage of advancement, can form but a

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slender idea of the mighty changes that have been wrought. It is the old resident,—he who still calls Sydney with its population of twelve thousand bustling inhabitants *the camp*,—that can appreciate these things: he who still recollects the few earth-huts and solitary tents scattered through the forest brush surrounding Sydney Cove, (known properly then indeed by the name of "The Camp,") now transmuted into a flourishing and populous city: such is the man fully enabled to appreciate the alterations which time and industry have wrought among us. You may hear people even now, in gossiping over old adventures, relate their tales of shooting parrots, to make pies of, in the middle of our main street—then a crowded wood;—of felling and stumping trees on spots where our best houses stand; or of losing themselves in the thick brush then surrounding our Australian capital; while the *veteran convict* will point out to the *rogue of yesterday* the tree, still green and flourishing near the house of the naval officer, dedicated in older times to the office of a triangle, under whose boughs many thousand lashes have been inflicted upon well-deserving backs. How different is the state of things now from twenty years ago—when a friend of mine had to trudge on foot to Paramatta, to pay his devoirs to the governor, in a pair of the

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first top-boots manufactured of kangaroo leather in the colony; but chancing to pull them off half way, to ease his feet, and being unable to pull them on again, he was obliged to perform the remainder of the journey and attend His Excellency's levee in his stockings alone,—not a single pair of shoes being either to be bought or borrowed in the whole *town* of Paramatta, then indeed consisting of but a few paltry huts! Now he would find three daily conveyances by land, and two by water, together with abundance of vehicles and horses; and be able likewise to secure a fit-out of shoes in almost any of the numerous streets with which Paramatta is intersected.

Old times are indeed still dwelt pleasantly upon by all classes whose recollections reach so far; and individuals are not wanting who appear actually to look upon the *encroachments* made by our fast-increasing population, and our fast-extending agricultural prosperity, with a feeling of regret. Nothing new is either half so good when praised, or half so bad when condemned, with our old philosophers, as matters formerly were—the present always failing in comparison with the past. If a sentimental shoplifter, fresh run from the trade, is heard pathetically descanting upon the sorrows of sour *smiggins*, (cold-meat hash,)

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or the horrors of *homony*, (maize-pudding,) the old *voyageur* will facetiously remind him of the "hundred hungry days" of yore, when people began to lick their lips and look upon *each other* with a longing appetite, and when the ill-fated cat that chanced to stumble across their path would almost be sent mewing down their throats! Or if he peevishly whimpers about the blusterings of *Humpy Dick*, or the bullyings of *Terrible Billy*, the other will *console* him by relating the pranks of Dandy ——— of yore, who would walk out behind the convict-hoers in his morning-gown and morocco slippers, with a *Penang lawyer** hugged close under his right arm, or borne like a royal sceptre before him, plucking at every tuft as he paced about, and drumming such a tattoo upon the shoulders of the woful wight whose ground was not completely chopped and grass fairly uprooted, as made the whole brush dance with fire-flies before him!

But when we seriously contemplate the wonderful revolution wrought in the colony since its formation, we cannot but be proud of the energies displayed by our enterprising community. Here, where, thirty-eight years ago, not one civilised being disputed the dominion of the woods with their

* A description of cane so called.

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savage inhabitants, nearly fifty thousand such now exist, spread over an extent of country of two hundred square miles, having justice administered by civil and criminal courts, and by six separate courts of quarter sessions, and eleven separate benches of magistrates instituted among them. Where, thirty-eight years ago, not a single European animal breathed, now upwards of 200,000 sheep, upwards of 100,000 head of cattle, and many thousand horses and other animals destined for the support and pleasure of man, are peacefully grazing. Where, thirty-eight years ago, not an ear of grain was cultivated, we now see a hundred thousand bushels advertised for—for the mere annual consumption of *one* of our distilleries;—while four steam-mills, ten water-mills, eighteen windmills, and two horse-mills, furnish us with an abundance of excellent flour from our own wheat; two very extensive distilleries, with several hundred thousand gallons annually of a pure spirit from our barley and maize; and thirteen breweries, with ale and beer from our various descriptions of colonial grain,—eight thousand hogsheads being the average yearly amount of this wholesome beverage supplied to the public.

On the site of Sydney alone what a change has been effected! Where, thirty-eight years ago, not a human hut was to be counted, nor the slightest

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hum of commerce heard, we have now a city occupying a mile square, crowded with industrious citizens, and teeming with vehicles wheeling along the varied productions of the soil,—the market-dues for this traffic renting, the present year, at 840*l.*, and the toll-gate dues at 1000*l.*:—the town containing twenty-two agents for the management of shipping affairs; eleven auctioneers for expeditiously disposing of colonial and foreign wares; a chamber of commerce to push forward and watch over colonial enterprise, effect insurances, and arbitrate in matters relating to shipping; two flourishing banks, dividing forty per cent on their advances; and three newspapers, (one weekly, and two printed twice a week,) in one of which I counted one day 124 advertisements.

Our commerce I may say is but of six years' duration; only beginning to rise at that period from its prostrate state, in consequence of the repeal of the absurd regulations with which Governor Macquarie had oppressively chained it down.

Six years ago, the colonial shipping was in a manner annihilated:—now we have four vessels constantly whaling; six sealing; two employed as regular packets between Sydney and Newcastle; one between Sydney and Hobart Town (the principal traffic this way being carried on in English

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vessels on their way out and home); several trading constantly between Sydney and Port Dalrymple;—besides irregular traders to all these places, and a number of small craft coasting to the Hawkesbury, Illawarra, and other points.

Our English and foreign commerce is so mixed up with that of Van Dieman's Land, that the two colonies must in this respect be taken *partially* together; but six years ago, their whole intercourse with England did not exceed three ships annually, while in the thirteen months preceding June 1826, we had twenty four-ships from England, conveying to us numerous respectable emigrants, and importing cargoes valued at 200,000*l.*, while we exported in seventeen ships *to* England, cargoes consisting of wool, skins, oil, timber, pearl-shells, trennails, and hides, to the value of more than 100,000*l.*,—the difference being made up in ships' disbursements while in harbour, and the invested capital of the various individuals who came to reside among us.

Again;—*six* years ago some six or seven vessels yearly from India and China, comprised *the whole* of our foreign traders; but in the period above alluded to, we imported cargoes of teas, sugars, silks, nankeens, India calicoes, tobacco, Cape wines, &c.—valued at about 200,000*l.*, in ten vessels from

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the Isle of France,—five from India,—four from the Brazils,—two from the Cape, and five from China; amounting thus to twenty-six foreign, and altogether to fifty vessels entered inland from England and other parts, with cargoes estimated at 400,000*l.*; the foreign importations being paid principally in government bills and dollars. We have also a tolerably thriving trade with the South-Sea islands, and New Zealand, wherefrom we import sandal-wood, pearl-shells, arrow-root, salted pork, spars, New Zealand flax, &c. Our tea and sugar imports are a considerable drawback to colonial advancement, seeing that nearly the whole must be paid for in government bills and dollars, thus rendering government expenditure in a manner essential to enable us to procure these luxuries. If we could exchange our flour, wool, beef, pork, coals, timber, &c. for this tea and sugar, we should be not only independent of government expenditure, but import more than we now do from England.

In default of this, it is obviously not only of great consequence to the well-being of the colony, but also of some importance to the mother country, that we should *raise within our own territory* articles of foreign growth with which foreign parts now in a great measure supply us. Spirits, tobacco,

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sugar, and tea, are all of this description; none of them being produced in the mother country, though two are the productions of her colonies. Spirits are now distilled here at a duty of 2*s*. 6*d*. per gallon from grain, and 4*s*. 2*d*. per gallon from sugar and molasses,—while West India rum pays a duty of 6*s*. per gallon, and all other spirits a duty of 7*s*. 6*d*. These protecting duties are sufficient, in all fairness, to secure a proper preponderance in favour of colonial distillation when grain is low; though being put on when grain was high, their effect was for a time mischievous to the colonial distiller, the duties on foreign spirits formerly being comparatively much higher. As long as a revenue is raised from colonial spirits, it would be unwarrantable to shut our foreign spirits entirely from the market, as from the necessary small number of the distilleries, on account of their size as required by act of parliament, the distillers might readily combine and raise spirits to what price they pleased, if importations were not permitted on a proper protecting duty. But with tobacco it is otherwise; it will be cultivated by some hundreds of individuals, and consequently sufficient competition admitted of to keep down the price;—therefore I can see no reason why its importation should not be totally prohibited for a

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period of years, allowing due preparation for a native supply. The dollars and bills we now expend in this way would thus be available for other purposes; the cultivation and proper curing of tobacco be gradually attained; while the population, acquiring a taste for this colonial tobacco, would care little for the foreign when ultimately re-admitted on a protecting duty. If we could exchange colonial productions for tobacco, the case would be different; but as we cannot, it is obvious that prohibiting its importation *at present* is the best policy; since it would admit an exchange among ourselves beneficially, instead of an unbeneficial exchange with distant parts; for the payment in money for foreign produce can never be so beneficial as exchange of commodity, whereby labour is engaged — while the *quicker* the exchange, the quicker the return of profit.—Sugar can be readily grown in our northern parts, where the soil is deep and the climate every way congenial. Ninety acres of canes are this year in cultivation at Port Macquarie; but I doubt the climate there is too cold for them to be very productive, the latitude being about 31½°. Even Moreton Bay, latitude 28°, is I should think too southerly: but abundance of ports exist to the northward of these, where soil and climate will both be found unexceptionable.

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Sugar deserves our most serious attention as an article of colonial growth, because a large quantity of it is consumed in the colony, and a large amount of government bills and hard dollars consequently carried out to pay for it, which might be applied productively to other colonial objects, or to procuring a larger quantity of English-manufactured commodities. It has been objected by some here, that our convict-labour in raising it could never compete in cheapness with slave-labour; but of this I have very considerable doubts. With good superintendence, convicts may be made to do quite as much as ever I saw accomplished by slaves; their labour being furnished free from any *primary outlay* of capital, while that of the slaves must be previously purchased, the interest upon the original price of the slave amounting to at least ten pounds annually. This circumstance in favour of the convict-labourer will more than counterbalance the probably greater expense of his keep. But perhaps as good a plan as any would be to establish a colony of Chinese on our shores, these being the principal sugar-growers in the Indian islands, and always ready to emigrate to any place where money is to be made.

The sugar-canes are at present planted in holes by hand-hoes, like the maize, which system

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was originally adopted from being the best that could be thought of at the early period when sugar-planting was first introduced, and thus continued by custom down to this day. But I can see no reason why the canes should not be planted in rows like beans, and the whole labour (except that of dibbling) be performed by the common plough, scufflers, and horse-hoes. Ground may be ploughed as deep as necessary by strong ploughs with a sufficiency of bullocks attached, while the most complete pulverisation to the depth needful might be effected by the scufflers previous to planting; the weeds kept down, the soil kept in order between the rows (after grown up), by the horse-hoe, and the land hilled up to the rows by means of the plough. No more manual labour would, in this case, be required than in the planting of the canes, cutting them, pressing them through the mill, and converting the juice into molasses, sugar, and rum. The great expense on a sugar estate arises from the many hand-hoeings which the canes require; but by planting them in rows instead of bunches, horse-hoeing and ploughing would much more effectually answer the purpose, while a larger produce would be extracted from the canes, by their being more equally spread over the ground. Permitting colonial sugar to be supplied to the

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colony free of duty, and laying a small countervailing duty on foreign sugar,—the growth would be sufficiently encouraged; the sugar duty being at present only five per cent, the price seldom exceeding 5*d.* per pound, which a duty of fifteen per cent would not raise above a penny. We should thus pay for our colonial sugar by the *bartering home-grown commodities*, and could therefore afford a higher price, while the return being so much quicker on account of the shorter distance, the profits both ways would be greater.

It would be well, also, to attempt the cultivation of tea in some part of our colony, by a settlement of Chinese, permitting them to export it to England, and all her territories, for a certain number of years, duty free. I see no reason why this should not answer with us, there being every variety of climate and soil, and nothing to prevent the tea-plant from flourishing as well here as in China. Indeed the luxuriance of leaves and flowers now displayed by the tea-plants in our Botanical Garden, sufficiently attest their adaptation to our soils. The English trade thither is now immense, and chiefly carried on by payments in *hard dollars*, none of which ever find their way back: and as Great Britain will not *always* draw these from South America, in payment for her

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manufactures, the time must come when, being unable to pay for tea, she must cease to import it. Now if that commodity were grown in New South Wales, here would always be a good market for the mother country, and one of *certain continuance;* because here the surplus produce and manufactures of England might be exchanged for the surplus produce of Australia, neither country competing with branches of the other's industry, but conferring mutual benefit.

Whatever a country can raise even *as* cheaply itself as it can be supplied with elsewhere, it is best to raise it; because, although the home-market should even pay no better on an average than another, yet it will be a *steadier* one, not exposed to the fluctuations occasioned by storms at sea, and risks of war,—small but steady profits being always better than those irregularly large.

It will doubtless be said that, to import, we *must export*, and therefore while we import teas, sugars, and so forth, into New South Wales, we must export equivalents. Very true; but what are these equivalents but the government bills drawn to meet the British colonial expenditure, and dollars imported by emigrants? Now, if we could raise the above imports ourselves, the bills and dollars saved to the colony by this course would

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naturally flow into some other channel of colonial wealth, such as whaling, sealing, and the like, and contribute a yearly additional sum to the colonial capital.

Trepang, or *beche le mer*, was found in great abundance by Captain Flinders at the Northumberland islands, on our eastern coast, nine hundred miles north of Sydney, in latitude 22°. It is highly esteemed by the Chinese, collected by the Malays on our western coasts, and cured and sold by them to the Chinamen at from twenty to fifty dollars per picol of 125 Dutch pounds, each picol averaging about a thousand trepang. Those found by Captain Flinders at the Northumberland islands were the species bringing the highest price in China, and consequently an attempt to obtain and cure them for the China market would be most praiseworthy, seeing that if the price proved remunerating, our dollars would be saved to us. A few have been taken and cured at these islands, which did not pay, it is said; but as the curers were ignorant of the proper method, we may ascribe the reported failure more to this than to the inferior natural quality of the trepang.

By freeing our timbers from the restrictive duties heaped upon them by Governor Macquarie, they soon became available to our mercantile body as

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articles of dead weight in making up cargoes for England; because, while they defrayed, by their sale in England, the ship's freight, they remunerated all parties in some measure, and enabled ships to be more frequently despatched thither, on account of the principal portion of the cargo being so easily secured. The bad times in England, and the low prices our timbers now fetch there, and the late impolitic restrictions here, will, however, I fear, knock up in a great degree the thriving trade that had been commenced.

We are in hopes our coals will furnish us with dead weight for our India ships, when steam navigation becomes established there, and that many little articles may be despatched to that quarter, as first ventures, to try the state of the market, which may end in a trade lucrative to both parties. If our timbers, tanning barks, and bark extracts, do not continue to pay, (of which under present circumstances there is some doubt,) we must look to our fisheries to supply us with oil for our dead weight, and it is to be hoped the whaling company lately instituted in Sydney may confer on us this benefit.

From the deficiency of navigable rivers, our grand exports must continue to be such as will repay readily the great inland carriage, unless a

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navigable outlet be hereafter found for our interior rivers, to make them available to commerce. Fine wool, silk, cotton, indigo, coffee, tea and the like, are articles of this description; but as nearly all these, with the exception of fine wool, require manual labour to a considerable extent, in their cultivation, we shall long be unable to cope with the cheap and abundant labour of other countries in the production of them, thus leaving fine wool the principal article of home growth, which, for many years, we have to look to as an export. Hence, seeing we have no extensive internal water communication, the necessity of an extensive internal communication by means of good roads must be most apparent; rivers, canals, and roads, being like fertilizing streams, that meander through the meadows of the farmer, where the rich border of glossy green sward that accompanies them points out the secret of their course. Good internal communications are of the first-rate importance to the prosperity of every country; but to a new colony, their value is unappreciable, and they ought invariably to *precede* instead of *succeed* colonisation; for it is at the outset of settling that they are most imperatively needed, when the new settler has enough of evils to encounter without an almost impassable carriage-way being added to the list to conduce

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more than all of them to the extinction of his previously scanty means. Roads like those of England are quite uncalled-for on first settling here, our system of road-making being divisible into three stages; the *first* description of roads simply consists in marking a proper cart-track through the forest by a direct compass line, chipping the bark off the trees here and there, where it is open and passable for carts, clearing away the wood in the brushy parts, and bridging or lowering the banks of the streams and gullies. In the *second* description, again, you stump out all the trees in the line, and patch up all the bad portions of it, leaving thus the surface soil in both cases as far as possible untried. In the *third* description, again, the surface soil is so completely rutted, that you must now level and Macadamise. If you fell the trees on the route at the outset, you throw your time away in case a better route should be discovered, while there is no need for such labour, the carts simply shifting in the open forest to the right or left of the old track, when the latter is too much broken up. When the *second* description of road is needed, the period has then arrived when the proprietors on each side wish to fence it off, and consequently great circumspection is now necessary in laying out its line, so that it be the most direct

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and the most level that can be attained. Nearly the whole of our roads have been hitherto so unskilfully planned out, that a full fourth of the draught is fruitlessly expended upon them. The Paramatta road indeed is a perfect echo of the old nursery ditty—"Here we go up, up, up, And here we go down, down, down."

The customary mode of payment for labour here is, one-third in produce, and the remainder in money; but the small settlers usually pay their hired servants to this day entirely *in kind*,—a bullock, cow, or such-like, being made over to them by arbitrators of their value. From this system, labour does not cost the employer so much as if he paid in specie; because, from the sugar, tea, and so forth, disposed of to the labourer, the employer has a good profit, while as long as the labourer can be served as cheaply by his employer as by a shopkeeper, he has no cause of discontent. But the prices charged on these articles generally far *exceed* what they can be purchased for in shops; yet as the labourer *knows these prices* beforehand, he therefore squares his terms accordingly. This payment in kind uniformly takes place wherever bullion or paper-money are not readily available as mediums of exchange, particularly in almost every part of America, excepting the vicinity of large sea-ports;—therefore

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we can form no just comparison between the prices of labour in England and America on this very account. Even if we subtract a fourth from the American price of labour, I do not think we should have its real money-price, because I know in these cases labourers have often things foisted upon them that they have no earthly use for, and consequently are obliged to sell at a sum far below their estimated value. Banking establishments can alone remove this necessity for barter, and wherever these do not exist we find barter *does*; as, there being no possibility of keeping coin in a country when once its value is increased elsewhere, *direct barter* must follow as a matter of course, till a sufficiency of the circulating medium returns.

In Antigua, and many other of the West India islands, destitute of banks, a meeting is held among the planters and merchants annually, to regulate the value of sugar and rum for the succeeding twelve months, by which all debts are liquidated; and before the doctor can finger his fee *in cash*, he must remit to England the rum and sugar he receives in liquidation; while a medical friend in the back woods of America assured me he had often his fees sent home to him in shape of *butter*, *eggs*, and *flitches of bacon*—good *fat* fees, it must be admitted! Labour was at one time paid among

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us almost wholly in kind; but the Bank establishment has materially curtailed this plan, and will, in all probability, ultimately extirpate even *kind* payments *in part*, which indeed appears now to be kept up more from unwillingness to break through an old custom than necessity.

From the great variation in the prices of imported articles in New South Wales, it is impossible to give a table of them which will not be found to vary considerably each successive year;—the market being small, and in consequence readily overstocked. In the olden times of the colony, tobacco was often sold for *its weight in dollars*, while a dose of physic has realised *a guinea*; and tobacco, even within these five years, has been retailed at *a pound sterling* per pound weight.

The following are the average prices between April and August, 1826, in sterling money, which is the only medium of value now known in the colony:

Coals, per ton, at Sydney, 21*s.*
Firewood, per cart-load, 3*s.* 6*d.*
Green tea, per lb. from 2*s.* 3*d.* to 3*s.* 6*d.*
Soft sugar, per lb. from 4*d.* to 6*d.*
Refined do. do. from 1*s.* to 1*s.* 3*d.*
Coffee, per. lb. (per cwt.) 1*s.* to 1*s.* 6*d.*
Arrow root, per lb. 1*s.*
Raisins, per case, 20*s.*
Soap, per lb. from 9*d.* to 1*s.*
Powder, per lb. 2*s.*
Salt, per cwt. from 7*s.* to 9*s.*
Saltpetre, per lb. 1*s.* 6*d.*
Brandy, per gallon, 15*s.* 6*d.*
Rum, do. do. 11*s.* 6*d.*
Do. per pint, 2*s.* 6*d.* to 3*s.*
Gin, per gallon, 12*s.* to 15*s.*
Colonial gin, do. do. 10*s.*
White wine, do. do. 5*s.* to 7*s.*
Port, do. do. from 5*s.* to 7*s.*

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Bank stock shares (50*l.* paid) 70*l.* to 75*l.*; last

Claret, per dozen, 30*s.*
Colonial beer, per gallon, 1*s.* 6*d.*
Porter, per cask, 9*l.*
Vinegar, per gallon, 5*s.*
Sperm oil, do. do. 5*s.*
Brazil tobacco, per lb. 3*s.* to 3*s.* 6*d.*
Bricks, per thousand, 21*s.*
Shingles (18-inch), per thousand, 9*s.*
Wooden wool-screw (warranted) 15*l.*
Sawed gum, per load, 4*l.*
Sawed cedar, per foot, at cedar grounds, 2½*d.* to 3½*d.*
Brick-work, per rod, 3*l.* 8*s.*
Suit of clothes (best), 9*l.* to 10*l.*
Hats (English), 25*s.* to 40*s.*
Do. (colonial), 12*s.* to 20*s.*
Kangaroo-leather boots, 30*s.* to 35*s.*
Do. shoes, 9*s.* to 12*s.* 6*d.*
Grinding and dressing wheat, per bushel, 1*s.* 3*d.*
Flour, per cwt. from 16*s.* to 26*s.* 6*d.*
Wheat, per bushel, 6*s.* 6*d.* to 8*s.*
Barley, do. 3*s.* to 4*s.* 6*d.*
Maize, do. 3*s.* to 5*s.*
Bran, do. 1*s.* 6*d.* to 1*s.* 9*d.*
Potatoes, per cwt. 9*s.* to 12*s.*
Geese, per couple, 14*s.*
Ducks, per do. 5*s.*
Fowls, per do. 3*s.*
Eggs, per dozen, 1*s.* 6*d.* to 3*s.*
Bread, per lb. 2½*d.* to 3*d.*
Butter, per do. 2*s.* to 2*s.* 6*d.*
Cheese, per do. 8*d.* to 1*s.* 3*d.*
Beef, per do. 5*d.* to 6*d.*
Mutton, per do. 6*d.* to 7*d.*
Pork, per do. 6*d.* to 7*d.*
Milk, per quart, 4*d.*
Clover hay, per ton, 7*l.* 12*s.* to 9*l.*
Native grass, per ton, 1*l.* 15*s.*
Straw, per load, 1*l.* 5*s.*
Lime, per bushel, 7*d.*
Green hides, 6*s.* to 10*s.*
Paramatta cloth, per yard, 2*s.* 3*d.* to 2*s.* 6*d.*
Prints, per yard, 1*s.* to 3*s.*
Shirting, do. 1*s.* 9*d.* to 2*s.*
6-4 muslins, 2*s.* 3*d.* to 3*s.*
Cast-iron pots, per lb. 6*d.*
Quart tin-pots, each, 1*s.* 3*d.*
Fine wove post paper, per quire, cut, 1*s.*
Superfine laid, do. 1*s.* 6*d.*
Fine foolscap, 2*s.*
Quills, per hundred, 8*s.*
Drays, 12*l.* to 15*l.*
Carts, do. do.
Hand steel flour-mills, 5*l.*
Ploughs, 3*l.* to 4*l.* 10*s.*
Hired gigs, per day, 15*s.* to 20*s.*
Do. horses, 10*s.*
Mechanics, per day, 6*s.*
Farm servants, per annum, with rations, 12*l.* to 20*l.*
Female servants, do. 10*l.* to 15.

Freight from Sydney.

Wool to England, per lb. 2¼*d.*
Timber, per load, 4*l.* 10*s.*
Freight to Newcastle, per ton, 15*s.*
Cabin passage, 25*s.*
Freight, per ton, to Hobart Town, 1*l.* 15*s.*
Cabin passage, 10*l.*
Steerage do. 5*l.*
Freight to Port Dalrymple, 2*l.* to 3*l.*
Cabin passage, 10*l.*
Steerage do. 5*l.*

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division of bank profits being forty per cent upon the amount paid, or 22l. 10*s.* annually per share.

The quantity of wheat sold weekly in Sydney market, averages about 600 bushels throughout the year, or an annual total of about 31,200 bushels; but this forms a very small item of the quantity otherwise disposed of.

Besides the duty on spirits and tobacco, the spirit licenses, and market dues, a duty of five per cent upon all articles imported into the colony is almost the only other tax levied upon us.

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CHAPTER IV.

Mode of trading—Shopkeeping — Banks — Bullion and paper-money—Their relative eligibility, particularly as applied to New South Wales and other countries so circumstanced—Whale and seal fisheries—Colonial manufactures.

THE import trade of the colony having been all originally in the hands of one or two firms, these individuals of course exacted whatever profit they pleased, because the small trader and settler must they knew succumb to the price they chose to fix. Governor Macquarie endeavoured to counteract the baneful effects of this monopoly, by encouraging convict-ships to import articles and dispose of them on payment of the customary dues. The indignation of the monopolists of course burst instantaneously forth against this attempt to injure "the colonial shipping interests," as these *patriots* sentimentally phrased it; and letter after letter was despatched to the colonial office regarding this injustice on the part of the governor, while in

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like manner letter after letter came to Governor Macquarie, from the colonial office, enjoining him to execute the rigorous penalties of the law against all masters of convict-ships carrying out goods: But Governor Macquarie, fortunately for the colony, paid not the slightest regard to these injunctions; giving on the contrary every possible inducement to the continuance of the forbidden traffic. Now, however, that the number of importing houses has been greatly increased, and that casual speculators have been more in the habit of visiting us, the order against the masters of convict-ships carrying out goods are very properly strictly enforced.

Mercantile business is here, as in England, chiefly transacted through the medium of bills. The importer parts with his goods to the general trader on receiving his bill for the amount at six months, without interest. The general trader again supplies the small trader, taking in like manner his bill, and selling in the mean time what he can for ready money. At the six months' end, the general trader carries all the money and good bills he can procure to the importer, renewing his own acceptance at three months for the deficiency, and the same accommodation is extended by the general trader to the small trader. By this mode

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of dealing, extensive transactions are carried on without a farthing of cash until the payments of the consumer slowly drop in. It is evident that without pursuing a similar course, no extensive commerce could be carried on in a country possessing a small amount of circulating medium; while in *every* country, however rich, it will on an average be found best calculated to increase the wealth already possessed. If all transactions were obliged to be *money* transactions, a portion of the circulating medium would necessarily be withdrawn from other profitable pursuits: while there is no loss accruing to the consumer in the business, because, although the importer demands larger profits from his incurring greater risk, the traders content themselves with proportionably smaller profits from there being no primary outlay, and consequently no risk of capital on their part; and thus, in these credit transactions, the prices are squared eventually to the consumer. Industry, activity, and a good name, serve the same purposes in a *credit* country which hard cash does in a *ready money* community; and in fact, without such a system, no country can possibly carry on a prosperous commerce, or rise to wealth and power; because, trade being exclusively confined to men of capital, trading could only be carried on to the

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amount of that capital, the profits constituting thus the national *commercial* income; but where trading is carried on, by means of *credit*, to three times the extent of the capital, the commercial income would consequently be trebled, and the extra annual sum so gained be added to the general capital, and applied to other sources of wealth. But this is not all:—by making money-dealings the basis of trade, the honest and industrious, but *poor*, would be entirely excluded therefrom, the beneficial effects arising from their enterprise and talent be lost to the country, and the great body of the people condemned for life to be hewers of wood and drawers of water, whatever their activity or moral worth. When, on the other hand, an individual is seen to possess such qualities, and to be well versed in business, he *will never fail* to obtain credit. The punctuality of his payments will increase the confidence reposed in him, and, proportionally, the amount of his credit too,—while this honest punctuality being the only source he has to look to, for increasing his business and making himself opulent, his energies are of course exerted to the full, to make good those payments; and, consequently, habits acquired which adhere to him, and continue to multiply his means and extend the sphere of his enjoyments, through life.

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We find that in every enterprising community, full three-fourths of its wealthy members have risen, in the first place, without the assistance of capital. We have individuals in New South Wales, who, some fifteen years ago, were driving government dung-carts, and shuffling along with hods of mortar on their shoulders, now possessed of incomes larger by all account than I can mention, with a hope to be credited; most of them individuals, too, who came out under the *patronage* of the Honourable Secretary for the Home Department, with a *Recorder's testimonial to character.*

In fact, it is truly astonishing to see how rapidly many of these men prosper in business. They are generally men of talent, but of *talent* formerly *misapplied;* and, either through their principles undergoing a change on arrival, or finding that more can be gained here by honesty than by roguery, quit the latter for the former, and directing their talents into this new channel, flourish in our money-making country like the trees we read of in the Psalms, "planted by the river." When I say that a stranger stands much less chance of being cheated by our Sydney shopkeepers, such as these, than by London ones calling themselves *honest,* I do not mean to argue that ours are the most honest in *principle,* but merely state a *fact,* which arises

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from the peculiarity of the two communities. In crowded London, where public affairs engross nearly the whole public attention, a shopkeeper may cheat a stranger without his reputation or trade being much injured thereby; but in the circumscribed community of Sydney, where every individual is known, the complaints of a stranger regarding any imposition practised upon him would be multiplied from mouth to mouth, and the custom and credit of the shopkeeper seriously injured. It may appear strange, too, when I say that you may place as implicit confidence in the generality of the portion of traders who have been convicts as in those who come out free.—An *emancipist** trader is aware that as he has been known formerly to be a *rogue*, his conduct will be more narrowly watched than that of the man who has heretofore kept up a reputation for integrity, and that every *faux-pas* he commits will be more strictly scrutinised than those of his neighbours; because, while the offence of the latter may possibly be slurred over, under the name of a *mistake*, his will to a certainty be pointed out as a sample of the old leaven manifesting itself again previous to some grander development. Even ridicule, which no man can readily stand

* One who was formerly a convict.

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up against, has no small share in producing this superior carefulness. When the emancipist cheat passes along the street, he feels that the fingers of all the free unconvicted population will be secretly wagging at him with, "See, see! there goes the fellow who has been so long humbugging us with his sham honesty; I always said he would turn to his *old trade* again;" while he knows that none would rejoice at, or propagate and magnify, his backsliding more, than his old *pals*,* partaking so fully as they do of that base principle which exists in the great body of mankind, namely, malignant envy of any one once on a level with themselves who rise eventually above them.

Previous to the establishment of the New South Wales Bank, (on the 8th of April, 1817,) the circulating medium of the colony consisted principally of the private notes of the various merchants, traders, shopkeepers, and publicans,—descending in amount often as low as the sum of *sixpence*, which however quickly disappeared on bank-notes coming into use. This bank of New South Wales, and the Australian Bank just established, constitute the sum-total of our banking establishments; and from the broad principles on which they are

* Companions.

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founded, and their correct mode of conducting business, they tend not only to enrich the proprietors, but confer an immense benefit upon the community. Each consists of a company of merchants, traders, and land-owners, and is governed by a president and court of directors (two going out annually), and the business managed by a cashier and accountant, similar to the Scotch banks, on whose principles in fact they are founded.—Bills were formerly discounted by them at ten per cent, but this has lately been reduced to eight per cent;—money is also lent by them on mortgage, though this practice is about to be discontinued;—and such has been the prosperity of the old bank, that as high as fifty per cent profit has been divided on the money advanced per share, and the last division amounted to forty per cent. Owing to all the principal individuals concerned in trade having shares in this bank, of course they and their friends are alike interested in establishing the circulation of bank-notes in preference to bullion; and as they are equally interested in upholding the stability of the concern, the notes are thus made beneficially to displace coin, which, instead of circulating as the exchangeable medium, is exported to purchase cargoes for our home consumption, while our bank-notes not only answer all the purposes of

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coin in the market, but are equally secure to the holder, because every person he makes purchases of is more or less interested in their circulation, and takes the bank-notes equally, nay, even more readily than coin. In fact, the bank-proprietors are the *people at large*, that is, the great body in which the wealth, intelligence, and respectability of the colony centre, which can never become bankrupt until the day arrives when a man shall be able to ruin himself by borrowing money from one pocket to lend to the other.

Coin and paper-money being exchangeable commodities which affect the prices of things in proportion to their scarcity or abundance, we must view them solely in this light.—Gold and silver are mere arbitrary exchanges, which custom has rendered now pretty secure; but although it is not at all *probable* these should ever fall into disuse as a circulating medium, yet the thing is not *impossible*; and if such a revolution should take place, what would be the value of all the coins of gold and silver now in vogue?—whereas, for bank-notes issued upon a secure foundation, like those of New South Wales, you have always the lands and goods of the proprietors wherewith to indemnify yourself. We see iron composing the principal circulating medium of one country; cowrie-shells of a second; glass-beads

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of a third; and gold and silver of a fourth;—and supposing they all fell into disuse, what would become of the possessor?

Coin and paper-money being both therefore but mercantile exchangeable mediums, and affecting the price of commodities according to their abundance or scarcity, we must judge of their value not by the quantity of particular articles which either of them at a *particular* time can purchase, but by the quantity of articles in general that each would for a given length of time purchase. Thus, if I find a quarter of wheat has been bought, during a succession of ten years, at the price of three pounds *in paper-money*, I should say, the paper-money had not been depreciated with regard to wheat, even although the same sum of three pounds in gold and silver, which at the beginning of the ten years could only purchase a quarter of wheat also, should purchase three times that quantity at the conclusion. But one article being no criterion to judge by, we must take the necessaries and luxuries of life together, and judge of the comparative quantites which bullion and paper-money fetch in this way. Now, in England, for the last twenty years, the tailor, the shoemaker, and the innkeeper, has each charged about the same *paper-money* price for his articles,—and this during all the period wherein there have been such

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fluctuations in the *bullion* currency; and as throughout this period the same amount of paper-money has been equivalent to about the same quantity of these various articles, therefore, so far, it has sustained its value, *whatever may have been its decline with respect to other commodities.* Gold and silver being both exportable commodities, consequently the value of other commodities as referable to them must be undergoing a continual change; but paper-money, raised on the substantial credit of property, and kept within due bounds, being *unexportable*, and consequently only available for home use, the value of home commodities with regard to it will have little or no variation.

Any one, in fact, who has kept an eye upon the bank of New South Wales since its commencement, must be satisfied that an establishment founded on similar principles *must* stand against any shock however severe. In 1819, although the whole bank capital was abstracted by the cashier, no run ensued; neither was the circulation of notes for a moment interrupted: and again, in the early part of the present year, when the dollar deposits placed there for safety by our various merchants were suddenly withdrawn for exportation, and when the panic which had produced such fatal consequences in England had seized upon bank-

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directors here, and made them apply to the government for a cash loan, in order to meet their anticipated embarrassments,—yet, as it turned out, no such embarrassments occurred; nor was the loan necessary, inasmuch as the notes circulated as freely as ever, and deposits continued to be made as usual, although individuals applying to have the notes converted into coin were dismissed with the notification of its impossibility. It was indeed a stoppage of payment without a concomitant bankruptcy, two things hitherto *synonymous* in England. The public felt, in fact, perfectly satisfied of the stability of the bank, and of the consequent value of its notes; nor could this well be otherwise, as the greater portion of the chief landed and trading interests were proprietors of its stock,—bound to answer its engagements in all the property they possessed, and consequently too deeply interested in its welfare to refuse its notes in payment of any due to, or article purchased of them.

The banking system in New South Wales was, however, conducted until of late too closely upon gambling principles; while the political feeling that became infused into its management alarmed and disgusted the more wealthy and respectable portion of the proprietors,—seeing that none were elevated to directorships but such as implicitly sub-

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scribed to all the heterogeneous tenets of the *emancipist* leaders—no matter how unworthy they were in other respects of holding such responsible offices. The rival Australian bank was formed in consequence, from which all *emancipists* are strictly excluded. Such a state of things is much to be lamented, as neither bank can possibly stand upon so stable or lucrative a footing, when the various interests in the colony continue thus disjointed, as they might in a contrary case.

When I was in Van Dieman's Land in 1819 and 1821, the only currency then in existence consisted of the private notes of the merchants, traders, shopkeepers, publicans, &c. varying from the sum of sixpence up to a pound,—the Van Dieman's bank not being then established, and a piece of silver being considered about as great a rarity as a Queen Anne's sixpence is in England. Yet these private notes were found to answer all the purposes of coin in the current transactions of trade, although you could not consolidate them into *hard cash*, because there was no such thing in the colony, the issuers giving you the alternative of taking the notes of other issuers in exchange, or else their value in goods. Hence, no individual in the colony was ever found to refuse these private notes, aware that there was no other

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medium of exchange; while being generally an issuer, too, himself, he knew that if he refused the notes of another, his own would, in turn, be objected to, and the whole host of his fellow-colonists brought about his ears. While these private notes answered fully all the purposes of a local currency, they produced no greater fluctuation of prices than takes place in ordinary cases; and without them, indeed, trade could not have been to any extent carried on, as the settlers would have been obliged to traffic with each other by *direct barter* of goods. As all these issuers of private notes are now combined in the Van Dieman's bank, the increased security must be self-evident. Suppose a demand were made upon the Van Dieman's bank to have a quantity of these notes consolidated into coin for exportation, with which demand it was impossible to comply, would matters be worse than at the period at which private notes were in circulation,—when turning them into hard cash was completely out of the question? If there was not a crown in the treasury, the notes would not cease for a moment their customary circulation, as long as the bank-proprietors kept up the confidence of the public by taking them as usual in all trading transactions, which of course it would be both their duty and interest to

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do, seeing they are jointly responsible. Such notes should, it is true, (as a point of principle,) always be *convertible* into coin; but no colonial resident would ever venture to *enforce* such conversion, as the colony derives an immense benefit from the bank, and his own property would suffer in common with that of others from its overthrow; while the bank-proprietors and their friends, whose hatred would be excited, would soon make the colony *too hot* for his residence. Again; if a stranger took any such steps, he would be unwise to venture back to the colony on a trading speculation; while, on the other hand, his good sense would tell him, that as there was not sufficient coin whereinto he could convert his notes, he might just as well turn them at once into some colonial production to export.

However well the generalisation of the currency over the British dominions may sound in theory, it has certainly turned out most unlucky in practice; so far at least as the Cape of Good Hope and New South Wales are concerned. In fact, a considerable portion of the sterling coinage introduced so lately from England, was collected and exported back during the late fall in the price of colonial commodities. There must, in truth, be a *local* currency in New South Wales, as well as in *every*

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country, if we wish its coin to be retained;—and which local coin will quickly vanish, too, when it can be profitably exported as simple bullion; but it should be recollected, that there will always be less inducement to export it in that shape than when serving as the current coin of another country, because the expense of the coinage forms in this latter case a portion of the value of the coin, whereas, if exported as simple bullion to a country where it could *not* be circulated as coin, such additional value would be lost.

The current coin of New South Wales therefore being now the current coin of the whole British dominions, it will of course always flow out of Australia as an export to other portions of the empire whenever other articles of export fail. If the dollar had been continued in circulation at five shillings value, and a colonial coinage struck of half-crowns, shillings, and sixpences, *corresponding in fractional value therewith*, the wants of the colony would have been more securely provided for. As it is, there is reason to fear that we shall again be forced to resort to old *shilling* and *sixpenny notes*, or else to re-establishing our absolute *dump* coinage, to provide us with small change. From the want of such a *local* currency, in fact, and the consequent disappearance of the circulating medium,

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the most complicated evils are likely to ensue, one of the chief of which is, the necessary fall in the *money* price of articles in the country from which the coin is exported. It is here that the advantages of a *silver* coinage, adapted solely to the circulation of each individual country, and of bank-notes representing a *gold* coinage, become manifest;—because the first can *seldom* be beneficially exported, and the latter *never*,—so that no great contraction of the circulating medium can ensue, to derange the whole internal prosperity of the community: while the merchants are obliged to have recourse to the natural and manufactured productions of the soil instead of *coin* as articles of profitable export.

A great point in favour of paper-money is, that for every pound thereof, added to the circulating capital, a pound of bullion may be subtracted from it, and otherwise invested; so that, if you are even disposed to call paper-money a *fictitious* capital, still while that fictitious capital can be as usefully and profitably employed as the bullion capital, why should we *not* so employ it? particularly as we multiply thereby our means of wealth, and forward essentially colonial improvements. But if paper-money issued on the responsibility of lands, houses, stock, and goods, be a fictitious capi-

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tal, what must bullion be, which rests on no other responsibility than *custom?*—With mere gold or silver in your hand, you cannot *oblige* an individual to give you a single article in exchange, but with paper-money you have a lien upon the goods and chattels of the issuer to the full of its nominal amount.—The great error formerly in English banking was the restriction of it as to the *maximum* of partners, whereas it ought to have been a restriction as to the *minimum*.—Supposing, for instance, that a bank were established in each county of England, issuing notes payable in gold and silver bullion or Bank of England paper, and restricted to a minimum of at the least two hundred proprietors of shares, each holding lands or houses, or employed in the commerce, manufactures, and general trade of the county,—what shock could affect the circulation of its notes within the limits of that county, at least, since we should have two hundred men of property and influence therein residing directly interested in upholding the value of such notes,—and every relation, friend, and dependent of these either directly or indirectly interested also?

The respective utility and value of bullion and paper, as mediums of circulation, are yet but indifferently understood; but the development of

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fresh facts will, I am persuaded, eventually produce reaction in favour of paper-money, and lead to a foundation of it on more stable principles: and the day is probably not far distant when the admirable views of Ricardo will be acquiesced in; gold coinage cease; gold be used as an article of commerce alone; and silver and copper become the only metal currency, in the shape of small change.

Our colonial council has lately committed a great error in prohibiting, by special enactment, all paper issues below one pound.—Now, notes of hand for less sums had been long established and very useful—being payable at certain dates; and so readily available were they, that workmen would generally prefer them to cash (when they placed confidence in the drawer), while they were likewise an immense convenience to the distant settler, who could not readily command small change, and indeed never liked to keep any amount in hard cash in his house, to afford inducements to robbery.

The whale-fisheries on our coast hold out a lucrative prospect to our enterprising community, and already receive a tolerable share of the public attention, but still in such a comparatively trifling degree to what they are entitled, that it is hoped a greater spirit of adventure will speedily be displayed in them. The whales are chiefly of the

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black kind, and abound on our coasts in the proper seasons, numbers being caught by boats in our very harbours. We see the London and American ships congregating at our doors, as it were, by dozens, and carrying off yearly thousands upon thousands of the rich harvest which the bounty of Providence has placed within our grasp. The oil is usually shipped for the London market in vessels freighted home with mixed cargoes to pay for the English manufactures we consume, and the whalers are again despatched in quest of more. A considerable portion of sea-elephant oil is also procured at Macquarie Island, in lat. 51° south.

This island has no anchoring ground upon its coast, being a mere mountain in the boisterous bosom of the southern ocean, destitute of a tree or shrub of any kind, and covered with large tufts of coarse grass. The lively, deep-green parrot, bearing the name of its domicile, is found in great abundance here, inhabiting thus a clime as cold and bleak as the Orkneys. Gangs of men remain on the island throughout the year, to kill the sea-elephants that frequent it, and to boil down the oil. Parties belonging to two or three individuals are frequently living here at one time, and as keenly contested wars have occasionally raged among them for the dominion of a half mile of

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coast of this dreary purgatory, as ever took place between the rival heroes of Rome for the dominion of the world; and the combatants, in their long beards, greasy seal-skin habiliments, and grim, fiend-like complexions, looked more like troops of demons from the infernal regions, than baptized Christian men, as they sallied forth with brandished clubs to the contest. Their provisions are supplied from Sydney, the fire for cooking, and the light for their study and their toilet, being all derived from the oil, which is kept burning in a dish with an ample wick; and the wretched stone and turf-walled and grass-roofed hovels they inhabit, are rendered as dingy and dismal thereby as the interior of an Esquimaux palace, and send forth an odour to which that of a nightman's museum of foul abominations is myrrh and frankincense. They are paid according to what oil they procure, and expend their earnings chiefly on the island in such necessaries as they may want, but principally in wines, spirits, and tobacco. The seal-oil and seal-skins are procured chiefly on the coast of New Zealand, and the islands in Bass Straits. The skins are generally sent to the China market, and along with a little sandal-wood occasionally, from the Fejee islands, and of shark-fins from others of the South-Sea groupes, constitute the

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barter portion of the cargo, the remainder being made up of government bills and dollars.

Our manufactures as yet consist of but a few essential articles, and necessity has compelled us to institute them, from the difficulty and expense of securing a regular supply by importation alone. Mr. Simeon Lord has a long-established woollen manufactory at Botany Bay, where coarse and second cloths are manufactured from our wools, of various colours and at various prices—all dearer, at first cost, than similar English articles, but cheaper *in the end*, from their greater durability. —Woollens are also made at Paramatta by the women confined there, both for clothing the government workmen and selling to the settlers; two yards and a quarter at 2*s*. 6*d*. per yard being sufficient for a pair of trowsers. Very durable twills are also made here from the New Zealand flax.

Various individuals, likewise, spin and weave woollen fabrics on the same terms; while many extensive settlers keep servants to perform these operations for the use of their respective establishments,—besides tanning leather, making the shoes, and manufacturing soap for their private consumption. The cloth in common use is manufactured of undied wool, and twilled in resemblance of

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Scotch blanketing. It thickens greatly on washing; wears well, and makes an excellent summer or winter dress for the labourers, when fashioned into frocks and trowsers.

Ropes and twine are manufactured from the New Zealand flax at Sydney.—Leather is made by a great variety of individuals; but in greatest quantity and perfection, I believe, by Mr. Wilshire of Sydney,—kangaroo skins serving the purposes of English calf, few calves being killed here. The various wattle-barks are used for tan; but, indeed, many of our Australian trees furnish bark suitable to such purposes.—Hats have long been manufactured by two tradesmen. They are of a deep glossy black, beavered with the fur of the flying-squirrel; they wear well, and look well, too, at first; but are liable to become soft in moist weather and to lose their shape.—Soap-making; tin-ware; workings in brass; iron-founding on a small scale; manufacturing of axes, adzes, steel-mills, and sundry other strong iron tools and utensils; saddlery; harness and whip making; boot and shoe, and straw-hat making; with various other useful vocations, are carried on among us. (Mr. Pendray is the *Nugee* and Mr. Boag the *Hoby* of Sydney.)—All kinds of common pottery-ware, such as milk dishes; large butter and cream

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jars with covers; large tubs for salting meat in; common brown *Toby Philpot* jugs; wine and water coolers, and spruce-beer bottles, are made in the colony in sufficient abundance to supply all our wants, and sold at a tolerably cheap rate. The glazing is chiefly performed by litharge or salt—there being no flints near to grind and make the finer glazes of.—Carts, drays, ploughs and harrows, may be obtained of colonial make at about the English prices, and none can be better than some of these articles of Sydney production.—Ship and boat building exists to some extent, and several beautiful colonial vessels have been turned off our slips, our gum timber being as durable and as well adapted to ship-building as the teak.

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CHAPTER V.

Colonial population and division of classes—General state of society—Schools—Newspapers and other publications—Turf-clubs and horse-racing.

OUR society is divided into circles as in England; but, from the peculiarity of its constitution, still farther differences naturally exist, which have at various times received colonial *baptisms*. We have, as I said before, first, the *Sterling* and *Currency*, or English and Colonial born, the latter bearing also the name of *corn stalks* (Indian corn), from the way in which they shoot up. This is the first grand division. Next, we have the *legitimates*, or *cross-breds*,—namely, such as have *legal* reasons for visiting this colony; and the *illegitimates*, or such as are free from that stigma. The *pure Merinos* are a variety of the latter species, who pride themselves on being of the *purest blood* in the colony. We have likewise our *titled characters*, who bear "their blushing honours thick upon them," in the decorations of P. B. and C. B. which profusely adorn their persons; and *untitled*, who,

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like myself, have neither "*mark* nor *character*" impressed upon our outward man. The *titled* are all *official* characters employed under the government, in street-mending, brick-making, and such-like,—the titular letters not portending that they belong to any such illustrious order as *the Bath*, but merely that they claim the Prisoner's Barracks or the Carter's Barracks for their respective domiciles.

Convicts of but recent migration are facetiously known by the name of *canaries*, by reason of the yellow plumage in which they are fledged at the period of landing; but when fairly domiciliated, they are more respectfully spoken of under the loyal designation of *government-men*, the term *convict* being erased by a sort of general tacit compact from our Botany dictionary, as a word too ticklish to be pronounced in these sensitive latitudes. Only a few years indeed have elapsed since an individual transported to Van Dieman's Land for piracy, who had been emancipated for meritorious conduct there, obtained a verdict with 50*l.* damages against a libeller, who had attempted to malign his character by spitefully spouting the opprobrious epithet of "d——d convict!" in his teeth;—and a most just and praiseworthy verdict it certainly was; for if such language were tolerated here,

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eternal contentions would reign among us, while it is enough for an individual to bear the *punishment* he may have been sentenced to without *reproach* being superadded; and if his period of punishment has expired, there can be neither propriety nor justice in individuals insulting him with that for which the public has already exacted ample satisfaction.

The grand division, however, of the free classes here, without reference to colonial technicalities, is into that of *emigrants*, who have come out free from England, and *emancipists*, who have arrived here as convicts, and have either been pardoned or completed their term of servitude. It is between portions of these two classes, that there has been so much bickering. One subdivision of the emigrant class alluded to, is termed the *exclusionist* party, from their strict exclusion of the emancipists from their society; while again, a subdivision of emancipists is denominated the *confusionist* party, from their endeavouring to embroil society, as *the others* say. As in all small communities, private feuds, backbiting, and scandal, exist to a great extent in our circles, (or rather *have existed*, for improvement in this respect seems to be gaining ground,) but those thoroughly initiated into the prevailing habits soon learn to *hear* without *be-*

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lieving these things, and to repeat them merely for talking's sake, so that the repetitions may go on *ad infinitum* with scarce an atom of credit being attached thereto, even by the retailers.

Etiquette is, if possible, more studied among our *fashionable* circles than in those of London itself. If a lady makes a call, she must not attempt a repetition of it until it has been returned, on pain of being voted ignorant of due form. *Morning* visits, too, are made in the *afternoon;* afternoon calls near the hour the bats come abroad; while cards are ceremoniously left, and rules of *precedence* so punctiliously insisted on by some of our *ultras*, that the peace of the colony was placed in imminent jeopardy only a few years back by the opening of a ball before the leading lady of the *ton* made her appearance;—the hurricane being fortunately smoothed down at its outset by the facetious master of the ceremonies assuring the indignant fair, that it was nothing more than the experiment of a few couples to try the *spring of the new floor*, and that they were still waiting her arrival to commence.

Dinners among the gentlemen,—followed up by tea or coffee, evening parties, and *petits soupés*, (to include the attendance of the ladies,) are the usual routine here;—dancing and music winding up the

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entertainments. The name-cards are elegantly printed by our colonial press, and sometimes such a fashionable intimation as "Mrs. B. at Home" brightens the gloom of our winter evenings.

Sundry public balls during the year vary the sameness of more common enjoyments: while the routine of balls, dinner-parties, and *petites soirées*, lately commenced by our worthy governor and his lady, tend still farther to advance the hilarity of our social circles. There are also in anticipation the amusements of the promised theatre; and the public concerts lately established can scarcely fail to introduce harmony in one sense, if not in another.

The first of our subscription-concerts took place on the 7th of June, in the present year, and was attended by one hundred and twenty of the *select*, admittances being decided by ballot.—Mrs. Governor Darling's ball, in honour of His Majesty's birth-day, was the most splendid and most numerously attended of any yet given in the colony—two hundred individuals being present on this occasion, a considerable portion of whom would be qualified by their wealth and respectability to move in genteel society in England. This ball has been immortalised in our annals as the *first*, since the foundation of the colony, in which the ladies

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equalled in numbers the gentlemen,—a circumstance which has given rise since to much pleasant speculative conversation among the bachelors.

The pride and dignified *hauteur* of some of our *ultra* aristocracy far eclipse those of the nobility in England. An excellent Yorkshire friend of mine, in command of a merchant-ship, unaware of the distance and punctilio observed here, very innocently stepped up to one of our "eminent lawyers," (to whom he had been casually introduced but a few days previous,) to ask some trifling question, which he prefaced with "Good morning, Mr. ——." The man of the law, however, recoiled as if a toad had tumbled in his path, and ejaculated with a stern frown, "Upon my life, I don't know you, sir." This proved a subject of much merriment afterwards to my friend, who would receive my usual "How dy'e do's," when we met, with a disdainful toss of the head, and "Upon my life, I don't know you, sir!"

While strolling once with an acquaintance, on my first arrival in the colony, we chanced to encounter a couple of our men of rank, with one of whom my friend walked aside, to hold some private conversation, leaving the other and me standing together. As the gentleman was known to me by sight, and I knew him also to have

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lately come down the country in a direction which I was about to take on the morrow, I incautiously asked of him the state of the roads. But what was my surprise when, drawing himself up with a most self-important air, he replied in the exact terms of the lawyer before-mentioned, "Upon my word, I don't know you, sir." Being yet a novice with respect to colonial dignity, I naturally concluded that some wag had been chalking P. B. or such-like villanous insignia upon my back (as is sometimes practised), which had brought on me this contemptuous rebuff; but on satisfying myself of the incorrectness of the surmise, I naturally began to marvel who this *great man* could be, and should doubtless have set him down as the Duke de las Sierras, or the Marquis of Aquaro at least, had I not been afterwards assured that he was simply a retired subaltern of infantry some time rusticated here. "Then," said I, "this must be a land of high aristocratical feeling, indeed!—Ay, and of high feeling of *honour*, too," added I, a few minutes after, upon hearing one of our *legitimate exquisites*, newly released from a six months' incarceration for trifling with the perjury laws, most earnestly appeal "*Pon honour*" to the truth of a statement he was making. "Oh! that is very judicious of him indeed," observed a bystander, "to pledge

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his *honour* to it,—as he knows well that nobody would take his *oath.*"

What a perplexing dilemma, you see, a stranger is thus placed in! for if he inquires his way through Sydney of one of our *titulars*, (even decorated with a C. B. appendage,) he runs a risk of having his pocket picked; and if he applies to an *untitled*, he may be superciliously repulsed.

The fashionable pedestrian promenade about Sydney, as I have stated before, extends round Mrs. Macquarie's Road and the government domain; while the South-head road constitutes the equestrian drive, along which our *beau monde* pour *en masse* on gala-days in their various fashionable *turn-outs*, no less than fourteen private carriages attending the funeral of the late Sir James Brisbane, a sufficient proof of the number of them in the colony, while few individuals of any respectability are without their gigs or riding-horses:—there being no taxes to pay here on any of these articles, the expense of supporting an equipage is not worth calculating. We have post-offices in every principal town whereto letters are conveyed, and post-horses are now equipping for the due transmission of letters to every part of the colony. A great variety of respectable schools throughout the colony further the purposes of education; the

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most celebrated being the Sydney Free Grammar-School under the able management of Dr. Halloran; the Caledonian Academy, founded upon the principles of the Scotch schools, under the management of the Rev. Mr. Lang, the Presbyterian clergyman; Mr. Cope's Seminary; and the Naval Seminary for instruction in seafaring matters, under the superintendence of Captain Beveridge. Various ladies' schools are to be found also; but few possessing much celebrity. Music-masters for the piano and harp take regular circuits to give lessons to the rising fair; while Mons. Giraud, and other professors of attitudes and dancing, teach them to hold their heads up, turn out their toes, and trip it along in waltzes, quadrilles, and *contre danses*.

The doors and interior fittings-up of the better description of our houses are of colonial cedar, kept polished in the manner of mahogany, the tables and chairs also being usually of the same. Rush-bottomed chairs, manufactured here, supply the place of the latter for common purposes.—The India cane mat is generally substituted for the English carpet, on account of its superior coolness, while *white* is for a similar reason our domestic costume; the gentlemen, however, exchanging the *white* jacket for a *blue* one when the weather is cool, or on riding out;—blue jackets, over light

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summer vests and trowsers constitute indeed the common dress of the majority of our respectable tradesmen, and the Sunday garb of the more lowly; straw hats being generally worn in summer, either imported from Manilla, or of colonial manufacture, the finest selling at 12*s*. apiece.

Our church establishment is under the charge of Archdeacon Scott, who is now zealously endeavouring to further our spiritual comforts by extending the benefit of clergy throughout the colony; and also to further our mental improvement by the endowment of schools and institutions for mechanics in the most populous and centrical places, for which purposes a certain portion of land is granted:—the colonial schools are under the direction of the clergy, as they always should be; for mental and moral instruction ought always to go hand in hand.

A dispensary is likewise lately established, to furnish medicines and advice to the poor gratis. There are several reading-rooms and libraries; while our various Australian journals furnish intelligence and *on-dits*. We have the "Sydney Gazette" and "Australian" published twice a week, and the "Monitor" once a week;—the two former at a charge of nine-pence each paper, and the latter at the charge of a shilling. The former al-

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most rivals in size the Morning Herald, and usually comprises a vast fund of colonial news, as well as interesting and entertaining advertisements; while the two latter are conducted with an ability of which few papers out of London can boast. Journals conducted by men of sound judgment and ability are certainly vast acquisitions to any new colony, and such, in the "Australian" and "Monitor," we undoubtedly possess. All these journals average from seventy to eighty advertisements in their pages, and have an average circulation of 650 impressions each, or a total of 3250 impressions weekly. No duty is levied by way of stamps, or on advertisements; the charge for three insertions of eight lines in the "Monitor" being seven shillings—and of fifty lines, one guinea. A weekly paper named the "Gleaner," is now also in course of establishment by Dr. Halloran. The columns of these journals afford nearly as rich a treat to connoisseur collectors, like Cobbett, of *morceaus* of the following nature, as the journals of America:

TAKE NOTICE.

Whereas, my wife, Betty Burke, has, without any just and proper cause or reason of excuse, run away from under my roof, in December last, and is now contracting

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debts in my name; this is to give warning, that I will not be answerable for payment of the same.

Witness my hand, &c,

Our colonial Almanack is a most useful and excellent little work, which no settler ought to be without,—since it contains short but valuable treatises on colonial farming and gardening; the periods for planting, sowing, and reaping the various local productions; the usual state of the weather throughout the year; the rates of ferries and tolls, and convenient money-tables. A good practical treatise on the vine has lately issued from our press; while a history of the colony, a treatise on sheep-husbandry, a diary of travels in the interior, and two volumes of poems, (one by Mr. Tompson, a young Australian, and the other consisting of birth-day odes, songs, and *jeux d'esprit*, by our venerable laureate Mr. Michael Robinson,) are all about to appear. In fact, printing is now executed here very neatly, as our newspapers (to go no farther) manifest.

Since the institution of the Sydney Turf Club, a great addition has been made to our pastimes; and while the value of horses has been materially enhanced thereby, the breed will attain more rapid improvement. It possesses a secretary, treasurer, and a select list of members, who are regularly balloted

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for; and many gloomy faces may be seen on grand election-days owing to five black-balls tumbling out of the white-ball box. The races are held twice a year, between Sydney and Paramatta, and eight horses often start at a time for the plate, several plates being given by the club, one by the Australian ladies, and one by the late governor. Races have likewise been held at Paramatta and Penrith, and in fact this excellent old English sport is no where more highly enjoyed than in Australia.

Great hospitality to strangers prevails throughout the colony, and in travelling you are always a welcome guest at any respectable house.

An opinion has, I know, been put forth that free emigrants become gradually inoculated with roguish propensities after their arrival here: this I have not been able to perceive; though certainly no *vast scrupulosity* is manifested by some of them, which may as justly be ascribed to *former habit* as *recent corruption*. Not so, however, thought Samshoo, an East-Indian servant-boy belonging to a merchant here, who had been detected by his employer in purloining a large bag of dollars. "Samshoo!" said his astonished master, "what has made *you* turn such a rogue? *you*, that have been so long in my service, and always shown

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yourself before such an honest lad!" "Massa," blubbered Samshoo, shrugging his shoulders, "when Samshoo come here, Samshoo very good boy; now Samshoo dam rogue; *every body*, massa, turn rogue here! by and bye, massa turn rogue *too*!"

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CHAPTER VI.

Party feuds and their causes—House of assembly and jury trial—Colonial council—Emigrants and *emancipists*—Observations on these two great classes.

It was during the administration of Governor Macquarie that those party feuds commenced which have kept the colony in a ferment ever since. Deeming the colony to have been founded as much with a view to the *reformation* as *punishment* of offenders, he justly concluded that the surest way of achieving the former object was, by elevating the character of the emancipated convict, in raising him to a suitable moral station in society again. But, unfortunately, the mode Governor Macquarie took of carrying his correct and beneficent views into execution, entirely frustrated the attempt. He conceived that the governor's countenance alone would overwhelm all opposition, and that *authority* ought to step in, to enforce what a mere expression of his *wish* failed to effect. Now, in matters of opinion, man is like a pig,—if you attempt to force him on, he only retrogrades

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from the point you wish to urge him to, and you must coax him along quietly, if you are really serious in attaining your object, or else drive him onwards by making him believe the *reverse* is the object you have in view. Governor Macquarie, finding a number of demurrers to his opinions, instead of coaxing them on to his views; or taking no notice of what was done or said, but quietly inviting such individuals of the emancipist body to his table as he deemed respectable enough, and letting time and reason work the rest; forthwith began to look upon all who opposed his projects as *personal* enemies, and often indeed treated them as such. This line of conduct *at once* severed from him many individuals; while the more marked attention he paid to members of the emancipist body in comparison with the free inhabitants, made it be believed by others that it was his intention to exalt the emancipist *above* the emigrant, and thus disgusted those who might probably have countenanced the plan. Now, what has been the result in Van Dieman's Land, where a different course was pursued by the able and judicious Sorell? An individual of the emancipist body has been lately elected there to the bank-directorship, in opposition to several most respectable emigrants, and by a body of proprietors too, the greater por-

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tion of whom are *free emigrants*.—On Governor Macquarie's departure, the emancipists were again thrown into the shade, and not one ever visited the succeeding governor at a party of any description, nor did he ever dine even in company with a single emancipist, until the very close of his administration, when the policy of circumstances compelled an alteration in his creed. This sudden downfal produced, as you may suppose, a disheartening effect upon the whole body, and some most respectable individuals among them felt it, I know, keenly; deeming themselves and their descendants thus for ever doomed to be, like the seed of Cain, a stigmatised race,—as they saw even their very children debarred from the governor's society, and thus held forth as equally unworthy with themselves. Things continued in this state, till the appearance of the "Australian" newspaper roused the emancipist body to oppose the course pursued toward them in omitting their names in the new list of magistracy, in conformity to the commissioner's recommendation, and driving them out of the pale of respectable society; contrary, however, to the commissioner's evident wish.

The individuals supposed to have influenced the commissioner were the principal objects of attack, personal motives with some of these assailants hav-

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ing obviously even greater weight than their professed public creed. A case was now got up to make it appear that the emancipists were an oppressed body, trampled on by the *emigrants*, and deprived by unfair means of what they deemed their rights.—Now, neither the magistracy nor council were shut by any legislative enactment against the emancipists, the local government having the power to appoint any individual, whether emigrant or emancipist, whom it deemed deserving, —juries being the only bodies they were at that period legally disqualified from. This disqualification they were most anxious to remove; but the commissioner, who foresaw great disturbance likely to ensue either from the emancipists or the emigrants being admitted to sit jointly or singly on juries, suggested that *both* parties should be excluded, and the juries composed of military and naval officers alone, as formerly, who might be fairly presumed destitute of all prejudice as to either class.—Another cry was now raised by the emancipists for a house of assembly, but stoutly opposed by the emigrants, who saw nothing therein but the seeds of disorder and confusion.

To talk of conferring an unlimited privilege, on the broad English principle of *property alone* entitling an individual to the right of sitting upon a

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jury, would be absurd respecting a population chiefly constituted of those who had themselves been convicted offenders against the law.

With respect to civil cases, (such, for instance, as relate to property,) the law as it now stands is best adapted to our present state of society. If both parties agree to it, a jury is called in; but if one dissents, the case is forthwith tried before the judge and two magisterial assessors. In libel cases, however, and criminal cases too, jury-trials may no doubt be rendered very beneficial by making the right of a juryman to sit, depend as much upon the question of *character* as that of *property*; reducing the number of jurymen, on each jury, in every place of trial, according to its population, and allowing the decisions to go by a *majority*, instead of by *unanimity*. If every individual in the colony were given a right to sit as a criminal juryman on being qualified by property alone, there would be no control whatever over the most iniquitous conduct, and serious mischief might be occasioned before a change of law could be made: while, to an individual who had been a convict, the title to that as a *right* could never have the same beneficial influence on his moral behaviour, as when awarded as a distinguishing *boon* to *good conduct*. The man who could claim

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this privilege as an inheritance the moment he acquired a certain property, would, as is very evident, care less about character than when he saw that *without* character his property availed him nothing. To have twelve jurymen, also, in *every* case, would be most oppressive in our thinly-peopled districts; while, to prevent a solitary rogue on the jury-list from defeating the justice of the law, *majorities* ought to decide the case, the foreman simply certifying to the judge the number of *ayes* and *noes*. If, however, property should be made the sole qualification of a juryman in the present state of New South Wales, then verdicts had better be decided by unanimity, inasmuch as a *chance* would thus be afforded of having an honest man on the jury-roll who might be endowed with such a capability of long fasting as to starve the others into a *just* verdict. Challenging of jurymen to any extent would never answer, in the present state of things, because, in the first place, such a number of individuals of property would thus be unnecessarily abstracted from the superintendence of their private concerns and the equally necessary superintendence of the criminals labouring for them, as to produce very pernicious effects upon the prosperity of the colony. The challenges in our present state of society would necessarily too be so *numerous*, that few

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individuals would be bold enough to bring down upon their heads the host of enemies such an attempt would call forth—an attempt which would certainly produce a most *moving* effect, similar to that resulting from the strains of Orpheus, but with this difference, that the sticks and stones, instead of dancing at the *heels*, would be dancing at the *head* of the *unreasonable upstart* (as our *patriots* would indignantly phrase it) who had the impudence to question their pretensions.

If the county magistracy were enjoined to draw up annually a list of *all* individuals in the colony entitled by property to serve, making distinguishing marks in favour of those of good character, to *insure* their being put upon the jury list, while from those rejected even the governor might still select such names as he deemed proper (in order to counteract any vexatious conduct on the part of the magistracy), a jury system might be formed beneficial to the colony at large, and capable of effectually serving all the purposes required, till the state of society here admitted the mere qualification of property to suffice. Or possibly, by admitting all emigrants, and likewise emancipists enjoying a free or conditional pardon in the colony (duly qualified by property), to sit on juries, as also all emancipists free by servitude, whose good conduct

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had rendered them deserving of having the usual rights of free citizens accorded them by the governor, a jury system, equally safe and efficacious, and less objectionable in some respects than the other, might be beneficially formed. As a beginning has of late been made of conferring no pardons in the colony, except for special good conduct or important services rendered to society, no objections can, in fairness, be urged against emancipists of this class as jurymen; while those who have become free by servitude, whose prosperity and character entitled them to consideration, it would be equally unjust to exclude, it being only to the "emancipists free by servitude," as a body, that objections, and these most serious ones, can be urged. In a colony, in fact, intended as much to *reform* as to *punish*, even those convicted in it, the governor ought to have the power of restoring to the rights of citizenship, when their conduct proved fully deserving.

As to a house of representatives,—when it is recollected what bitter dissensions have existed for many years between the emigrants and emancipists, and that the latter would compose at least four-fifths of the electors, it is evident that such a measure would not only tend to revive that discord which His present Excellency is fast allaying, but

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put the whole emigrant body in the power of the emancipist faction. Yet these two objects, namely, a house of assembly and genuine trial by jury, are gravely declared to be the best means that can be devised for promoting the *harmony* of the colony; but as *lawyers* are the singers of the *Io pæans* about this said *harmony*, we are naturally induced to wonder what has so suddenly brought about this before unheard-of reform in the principles of that body, of whom *discord* forms the very food.

That a council elected by the sovereign can ever prove equally useful and acceptable to the community at large, as a representative body elected by the people, in a wholesome state of society, no individual possessed of an ordinary understanding would venture *honestly* to affirm; but this wholesome state of society no man will venture to affirm exists at this day in New South Wales. One hundred members, it is maintained by the advocates of an elective assembly, is the least of which it should consist, in order to defeat the influence which the government would be more capable of exerting over a smaller body, without giving a moment's consideration to the evils that would result to the colony in the present state of things, from a hundred of the most wealthy and

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influential individuals in it being kept for a period of six weeks, or so, yearly, from the superintendence of the criminals working in their employ; not to speak of the injury their own interests would sustain from so long an annual desertion of their farms. The objections, in addition to the above, may be summed up as follows:—

1st, From exciting fresh dissensions between the previous conflicting bodies in the colony, and creating election meetings for furthering riotous dissipation, and the commission of crime, while actually placing the *unconvicted* at the mercy of the *convicted* class, an experiment of too hazardous a character to be for a moment entertained by any disinterested individual possessed of an adequate degree of common sense to enable him to arrive at a proper conclusion, and who gives the requisite, serious, and calm consideration to the matter which the importance of it demands. 2dly, From no individuals except residents in Sydney, or the adjacent county of Cumberland, being sufficiently wealthy as yet to bear the loss the annual neglect of their interests would entail upon them, in addition to the expenses incurred by them in their journey to and residence in Sydney; consequently, as few residents in the more distant parts would be found so superlatively foolish as voluntarily to

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become candidates for such an office, nearly the whole representation of the colony would thus fall into the hands of actual residents in Sydney, or the adjacent county of Cumberland, unless the others were adequately remunerated for their trouble, which remuneration would amount to such a large yearly sum, that the public, in the present state of things, would soon find they were paying "too dear for the whistle."

A council, formed upon a broader scale than the one now existing, is the sort of legislative body best adapted to the promotion of the harmony and the interests of the colony for many years yet to come; but its sittings ought to be *open*, its proceedings *reported*, and all the acts proposed printed and distributed at least a month before discussion, so that they may be digested by the public at large, and their defects pointed out. Any body, however popularly constituted, will soon dwindle into a downright hive of drones, if not urged on by the stimulating excitement afforded by publicity. The conduct of the members of the council would thus be open to scrutiny, and the motives of each for supporting or opposing any given measure set forth to the public; but, *in its present state*, the council is, and will continue to be, looked upon as a body more inclined to

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favour private interests than minister to those of the community. Besides, publicity would stimulate able members to exert their talents for the general good, and impart confidence to the people in their decisions. It is hoped some such arrangement will form one of the items in the expected amendment of our colonial code.

Although *non*-participation in the same *political right*, is the ostensible object our emancipists are whimpering about, yet *non*-participation in the same *beef and pudding* at *the same table* is the actual stimulant of all this "much ado about nothing."

But is it the *general* body of the emancipists who vociferate so much about this point? oh no! it is only the emancipists "*purs et par excellence*"—or such as have neither been punished nor convicted of an offence *in* the colony, from whose social meetings the emancipists *impure* are as religiously excluded as the former *caste* is from the tables of the *exclusionists*. At one of the public dinners of the emancipists *pure* some years back, a terrible *fracas* ensued from one of the *proscribed* inadvertently gaining admittance, who being assailed with a universal shout of "Turn him out, turn him out!" forthwith squatted himself at the end of the table, and commenced upon his soup, skilfully intrenching his position by rolling the

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corner of the tablecloth round his hand, with a view of pulling the whole of the smoking pageantry off the table in case of molestation. At the dinner, too, given by that body to Sir Thomas Brisbane, a sort of Board of Green Cloth sat upon all applications for tickets, rejecting every one who had been punished or convicted by any colonial court—in order that His Excellency might not be exposed to the unpleasant dilemma of rubbing his immaculate shoulders against a man who had been sullied by a *double* conviction.

Therefore while the emancipists *pure* thus admit none convicted *in* the colony to dine with them, the emigrants *pure* admit none convicted either *in* or *out* of it to that familiarity. Although the conduct of the first-mentioned body is somewhat inconsistent, it nevertheless satisfactorily demonstrates that a considerable portion at least of that class of our community, facetiously self-described in the first Botany prologue as

> True patriots we, for be it understood,
> We left our country for our country's good,

are any thing but degraded in feeling, when we see them thus, in the plenitude of honest pride arising from a consciousness of rectitude since the perpetration of the offence for which they had suffered,

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scout all individuals from their society degraded by a colonial criminal conviction or corporal punishment. As the degrading effects of flogging are thus felt, even among a convict population, every means ought to be taken to dispense, as far as possible, with its use.

The practice followed in England is no rule for this colony. If this is to continue to be a place for the reformation as well as for the punishment of criminals, why keep these *quondam* criminals a proscribed race *after* reformation has obviously taken full effect, and their time has been served, or their pardon awarded? It is a piece of gross impolicy as well as great injustice to do so; because, by morally elevating a man in society, and infusing into him a proper pride, and respect for himself, you secure him in a great measure against the future commission of crime, for who is there imbued with a due degree of personal pride, and who *values* the character he has acquired in society, that will readily be guilty of a base action?—The calling this colony a colony for reform, is a mere bugbear as long as the reformed continue to be marked as a race of outcasts. I see no reason whatever for excluding a man who has been once convicted, from any office the unconvicted now enjoy here, when his period of punishment is com-

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pleted, and his conduct has been deserving. How obvious are the good effects which would naturally arise from his admission to equality! A greater inducement would be thus held out to those already commencing reformation to persevere—while the still depraved would feel urged onward toward a salutary change, seeing those who had been as criminal as themselves now restored to honest society, and becoming as useful as they had before been pernicious.

This system of exclusion is in fact practised to an extent which few in England would believe:—the poacher, political offender, and thief, being all looked upon as *equally* degraded. Nor is any difference held to exist between the blackest crimes and the most venial offences. The man who stole to satisfy the cravings of hunger, or was excited thereto by sudden temptation,—the hardened rogue *proud* of his *hundred* crimes,—and the bashful booby *blushing* for his solitary *one*, are all looked upon alike, and treated alike too.

Few, very few, of these same emancipists *pure*, are at all qualified *even* for *the bench*; therefore, the elevation of some two or three of them could prove little detriment to the course of justice, supposing they did casually disgrace their office, while the including such a number alone would prove just

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as beneficial as running the list up to a dozen, by demonstrating that the bar to their moral elevation was removed. Of late, indeed, some free emigrants have been attending the dinner-parties of the wealthy emancipists, but being chiefly of the trading or *borrowing* community, private interest of course forms the chief incentive to their conduct; nevertheless, this is a beginning from which, in time, better fruit may spring.

Our emancipist body, in honest truth, forms the most useful and enterprising portion of our community;—all the distilleries, nearly all the breweries, and the greater portion of the mills and various manufactories, being owned by them; while they have never, so far as I can learn, disgraced themselves by engaging in any of the smuggling transactions, whereby many of those who came out under the proud title of *free men* have tarnished their reputation. Several of our most respectable merchants have told me, that in the numerous matters of business wherein they have been concerned with the emancipists, their conduct has always proved *most honourable*, though some here will endeavour to detract from this praise, by saying that their *principles* have suffered no change, the *terror of the law* and *self-interest* alone keeping them honest. This I hold to be an illiberal and

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unworthy suspicion:—and if otherwise, what retains nineteen-twentieths of mankind in the paths of honesty but these two identical things?—honest principle often taking a harlequin leap from the breasts of even the nearest friends when *property* is thrown as a bone of contention among them. As long as people can gain more by a sort of decent roguery, than by open *unqualified* honesty, (without their neck or their future interests being endangered,) they seldom scruple much. Honesty is in fact as much an acquired habit as a fixed principle; and by our *quondam* rogues getting into this habit, like all acquired habits whether good or bad, it will not be very readily thrown off. Where we see a nation at one period shining forth as the model of every thing virtuous and noble, and at another period degraded by every species of knavery and vice, we only see a change of *habits* not of naturally inherent *principles*, because what is *natural* to the human constitution, like the passions we are universally imbued with, or the colour of our skin, continues the same from generation to generation.

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CHAPTER VII.

Emigration in general—The most judicious modes thereof — Unlocated portions of Australia eligible for the settler—Method of granting land—Mode of examining the country in quest of favourable tracts.

EMIGRATION to any colony can never be conducted on so extensive a scale as to be of material benefit in relieving the mother country from the excess of her increasing population.

Even supposing ten thousand poor individuals were drained off per annum, that number would not amount to a tenth of the yearly increase; and I doubt if even half that number could be shipped off annually and located, without entailing such an expense as to make the remedy worse than the disease: emigration must proceed gradually to proceed beneficially; for, it is observed in Australia, that when numbers crowd in too quickly, the prices of stock are so materially enhanced, as to operate greatly to the fresh emigrant's prejudice; and in America the same remark holds equally good. If these poor emigrants

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could find employment near an American sea-port, undoubtedly that would be the cheapest mode of getting rid of them; but if we mean to *colonise* them, I think, taking all things together, that they may be more cheaply disposed of in Australia. The out-voyage to America is nothing, the inland journey being the weighty point to be considered; and when simply set down upon locations in Upper Canada, and all expenses paid, if thirty pounds per head clear these matters, I am greatly deceived; and for this sum individually a family may be landed upon a location in Australia, where the country is in a great measure cleared to their hands. Emigrations of agricultural labourers on any thing like an extensive scale for purposes of colonization, might be most successfully and economically conducted, by settling *primarily* upon the principles of the co-operative system,—that is, by turning the combined exertions of the settlers to clearing, cultivating, and erecting the necessary buildings upon one centrical farm, from which the individual settlers might afterwards ramify to their own locations, after they had thus secured lodging and subsistence for themselves at the parent depot. This point being attained, the spare portion of the working community should of course be required to assist in raising the requisite buildings

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upon the various locations successively, as well as in clearing, fencing, and putting into cultivation each individual's grant, until the whole of the settlers were accommodated upon their separate farms, while a fresh importation from England might again occupy the *central* farm, and ramify therefrom in the same way, importation succeeding importation until the distance of the locations required a fresh central farm to be instituted. A tax of a certain number of bushels of wheat and maize per acre annually for a fixed number of years, on each location, would tend to support succeeding bodies of settlers, on their first arrival, until their own locations afforded them food. Their wives should be taught to spin flax and wool previous to emigrating, and individuals skilled in weaving, tanning, carpentering, blacksmith's work, and shoemaking, should form a part of the body, so as to enable them as far as possible to supply within themselves all their pressing wants. A plan like this would be certainly the cheapest and most easily carried into execution of any I can imagine; and if an active able individual superintended each of these settlements, such a mode might be carried on with benefit upon a very extensive scale.

Such settlements would prove eventually of im-

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finite importance to the mother country, as marts for her manufactures, in which light we must chiefly view establishments of this description; for the portion of supernumerary population that, on the most extended scale, could be taken off by emigration, would be too trifling materially to mitigate the mischiefs arising from that source, though certainly it could not but be the means of obviating much *individual* misery.

Detachments of soldiers are sent out annually to India,—by way of New South Wales, for the purpose of guarding the convicts. Now, as these detachments are invariably composed of young recruits, totally unacquainted with the service, and one half of them indeed generally mere striplings, I conceive a number of poor settlers might be shipped out this way by substituting them for the soldiers, because the expense incurred in keeping a detachment of soldiers in New South Wales, and forwarding it from thence to India, would carry three times the number of settlers out that the detachment consisted of.

For emigrants with no great amount of capital, particularly bachelors, settling upon the plan of the co-operative system is undoubtedly the best they can adopt; but three, or at most four, in one communion, is the utmost that should be generally

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thought of. The great point in emigration is to save expense at the outset, in which respect an immense advantage must necessarily be gained by this system, besides having the benefit of three heads, and three pair of hands, to superintend and work at the different divisions of the farm. One ploughman, one bullock-driver, one house-servant, one stockman, and one shepherd, at the outset, would serve the purposes of three settlers as effectually as of one; and indeed, in the case of three active settlers, acquainted with farm management, several of these servants might be dispensed with. By constructing all the primary requisite buildings, fences, and stock-yard, upon one location at a time, and securing supplies of food at the outset from it, until the same buildings and improvements could be gradually completed upon the whole three locations, what a great primary outlay of capital would thus be saved, without taking into account the consolation derived from each other's society and advice during such an anxious bustling period as that of first settling! Three individuals, arriving in the colony with 400*l.* each, mustering thus a capital among them of 1200*l.*, would do a fourth more at least with this sum, than a single individual possessing such capital of 1200*l.* *could*, besides placing themselves in comfort in one-third

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of the time, and saving eventually a large sum by the proceeding. Having myself proved the benefit of this plan, I can speak with greater confidence of its merits. In fact, in this way, emigration may be successfully practised by large bodies of individuals possessing small capitals, who could not at all attempt it single-handed. Six individuals, for instance, with 100*l.* each in their pockets on arrival, willing and able to work, might soon form a comfortable asylum for themselves; and even if they landed with only 50*l.* apiece, might start decently. The *requisites* here are integrity, the preservation of a good understanding among themselves, and a sufficiency of land, at no great distance one from the other, fit for farming purposes.

Western Port, from its advantages in point of fine harbour, cool salubrious climate, good navigable rivers extending interiorly, and excellent thinly-timbered grassy soil, promises the best of any portion of unlocated country now known throughout the territory of New South Wales. The country interiorly from Bateman's Bay, comprehending the extensive downs of Monaroo, will prove the next best in point of coolness of climate; but that about Moreton and Trial Bays will probably prove the most convenient, on account of water communication. Western Port being but a short distance

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across Bass Straits from Port Dalrymple in Van Dieman's Land, all the primary requisites of grain, sheep, and cattle, might be imported thence, and other necessaries also, until the settlements should become sufficiently populous to induce a ship direct from England to touch.

Cabin passages to New South Wales now usually vary from 70*l.* to 100*l.*; but, from the length of voyage, proper inquiries ought to be made as to the character of the captain of the ship, as well as a regular bargain respecting how you are to live on the voyage; nor would it be amiss to examine *personally* as to what has been embarked for cabin stores, since most shameful treatment has often been experienced by settlers coming out, which on so long a voyage as eighteen or twenty weeks is somewhat trying to the temper.

If the eligible stations of Western Port, Monaroo Downs, Trial or Moreton Bay, and Port Macquarie, should not be open for the location of settlers on your arrival, your search must then be directed toward Argyle, Bathurst, or Hunter's River, for a suitable spot. The surveyors of these places, if in Sydney at the time, will give you full information about the quality of the unlocated lands, the position of which will be pointed out in the chart;

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or if these gentlemen are residing in their districts, you must gain the information from them there. No lands are now granted but what are surveyed, which would be an excellent rule if the surveying department was strong enough to keep well in advance of the applications; but as it is at present, the rule is obliged in some measure to be dispensed with; for as the best portions are of course *first* picked out of the newly-surveyed lands, unless a settler arrives at the instant a survey is completed, he must otherwise either put up with a bad grant, or wait until the survey of a new portion of land takes place. Even in selection from the surveyed portions, great difficulty is often experienced in finding out which sections are yet unappropriated; and instances are not unfrequent where the wrong section has been settled on, and much expense and annoyance in this way incurred. If a guide should not be found advisable to be despatched along with each new settler, to point out the unappropriated grants, the trees in the parish lines, and the trees in the section lines, might be barked, and afterwards lettered, and numbered in such a way that the new settler could not readily make a mistake.

The utmost extent of land now granted is 2560 acres, which you must prove yourself possessed of

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2000*l.* capital, in money or property, to be entitled to; a capital of 500*l.* being required for each 640 acres. At the end of seven years, you must have expended a fourth of the estimated value of your grant in improvements, to complete your title to it, at which period you commence paying a quit-rent of five per cent per annum upon the estimated value of the grant, which quit-rent you are allowed at any time to buy up, at twenty years' purchase. The natural lands in this colony have never yet been valued at more than 5*s.* per acre, therefore the value of the 2560 will be 642*l.* 2*s.*, and the quit-rent 32*l.* per annum. It would be a great improvement to permit this quit-rent on first grants to be paid and purchased up in wheat and beef, at the market value; a plan that would suit the government equally well, and the settler better than a money payment. The great fault in the system hitherto pursued in this colony has been, that the terms upon which land was granted were either never enforced, or that there were actually no terms to enforce. By exacting a quit-rent at a given period, you oblige the settler to improve the grant, in order to make it sufficiently valuable to answer the demand of the quit-rent, instead of keeping it as a mere stock-run, or leaving it in a state of nature, until its value should become so

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much increased by the condensation of population around, as to enable him to dispose of it to greater advantage. This increasing value of land, from increasing population, will often double the value of a grant in the space of a few years, without reference to a single improvement.

Each river being usually taken here as a base-line in the measurement of land, and a mile of river frontage allowed for each 640-acre grant, while for a 2000-acre grant *no more river frontage* is allowed (the measurement being simply carried backwards in the same line),—by fixing upon a section indifferently watered *beyond*, and containing no alluvial soil there, you will, in this way, secure as much land in a 640 grant as in a 2000-acre one, inasmuch as no other settler will be disposed to accept of the land behind you, from these obvious disadvantages. The new settler need not therefore be alarmed by the amount of capital required; because, if he possesses the sum of 500*l.*, he will generally be able to secure as much land for this sum as if he produced treble that amount, besides having only a third of the annual quit-rent to pay. The section-lines being made to run either east and west, or north and south, according as the general course of the river best suits, the sections, consequently, run often

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obliquely back from the river, when the latter deviates from the above courses. The country, as surveyed, is now also regularly divided into counties and parishes, selecting, as far as possible, streams and mountain ridges for their natural boundaries. Though the alluvial lands here are not exceeded in fertility by any in the world, yet the forest-lands are inferior to those of America for purposes of cultivation, on account of our trees being all evergreens, and not enriching the soil by their deciduous leaves.

In searching for a suitable grant, it is a great point to fix upon a place where the land *round* it is all so indifferent that no new settler is likely to place himself near you, for a considerable period at least, enabling you thus to have a free run for your stock for miles without being encroached on; it being a good maxim to consider *near* neighbours as *bad* neighbours, in first settling. A horse, with canvas bags for changes of clothes, &c. slung over behind the saddle, with a blanket under to wrap yourself up in at night, and a light cord round the horse's neck to tether him by, furnish your personal equipment while upon this quest; and if pushing into a country at a distance from settlers, a pack-horse with provisions ought to accompany you. A steady white

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man who is a good bush-ranger, and a black native, complete your train. The note of the bell-bird, tinkling like a dull sheep-bell, announces in our drouthy wilds the welcome presence of water (a very useful thing to know); and toward this sound you may confidently proceed.

The settlers are generally hospitably disposed, and in these jaunts you are always welcome to such fare and such accommodation as they have it in their power to give. A tinder-box, or powder-flask, conjures up a fire when you *bivouac* in the forest; while a few slips of bark, peeled from a tree, shelter you from the cold and wet;—and with a good fire at your feet, and a tin of hot tea before retiring to rest, you may sleep comfortably enough. Your muskets will furnish you with birds of various kinds;—and with a brace of good grayhounds you will never lack kangaroos and emus; so that your *bush*-fare is a true sportsman's feast. You meet with some adventures probably both to astonish and alarm you, but these mostly end in your amusement. If you should hear a coach-whip crack behind, you may instinctively start aside to let *the mail* pass; but quickly find it is only our native *coachman* with his spread-out fan-tail and perked-up crest, whistling and cracking out his whiplike notes as he hops sprucely

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from branch to branch. Neither must you be astonished on hearing the *razor-grinder* ply his vocation in the very depths of our solitudes; for here he is a *flying* instead of a *walking* animal, and consequently can very readily shift his station. On seating yourself comfortably by the fire of one of our backwoodsmen, your attention may probably be arrested by a heavy foot-tread approaching the door, followed by the heavier souse of a load tossed down at the entrance; and pricking up your ear at the observation of "Good Lord! what a *whapper!* where did you meet with that *old fellow?* you hear a gruff grumbling voice reply, "Why I had a tightish job on't wi' the ould boy: he took a good many thumps on the head before I could *do for' un.*" Confounded at the meaning of this conversation, you bend your eyes with anxious gaze toward the door, which slowly opening, a desperate-looking ruffian habited in a huge hairy cap and shaggy kangaroo-skin jacket, dappled thickly with blood, stalks solemnly across the floor casting a grunting sort of recognition to each person around, and while teasing out the tobacco-leaf to charge his pipe, relates with the most cool villanous indifference that he has been fortunate enough to kill *an old man* as he came along, whose hind quarters he had just brought with him to make

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steaks of for supper! ending his horrible recital with a significant glance at *you*, while drawling out through his husky throat, "It will be a treat to the gemman, as he is a new-comer!" You begin to fancy you have got into a den of cannibals, and that you are doomed to join in their horrible repast, or perhaps *be broiled yourself* in event of refusal! To your great relief, however, the "old man" turns out to possess the appendage of *a tail*, and is in fact no other than one of our old acquaintances, the kangaroos!

The rankness of the grassy sward is the best criterion to go by in making choice of land; but as the grass is in some instances devoured by the caterpillars, you must be cautious how you decide on its being actually bad. The growth of the apple-tree is another favourable sign; while the conveniences of fencing timber and an abundance of water will decide you in other respects.—Much good land is to be culled yet in the Argyle, Bathurst, and Hunter's River districts, by careful examination; and as your views will naturally be directed rather toward the maintenance of stock than raising cultivatable commodities, you must secure, if possible, a good grazing *back-run* behind your location.

You must pay no attention to what the settlers may tell you regarding the land about their

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farms; as, it being the interest of every settler to keep others at a distance, the land within twenty miles is sure to be *bad* in his description. When in fact you hear a settler abusing a tract of land as *very bad*, you may generally suspect it to be *very good*. If it is the interest of the merchants to induce settlers to come to this country, their introduction is manifestly contrary to the interests of the *old* settlers; because there must always be a certain demand for provisions by the government to supply the troops and convicts, and the fewer the *producers* of these provisions, the better price is consequently exacted, while in every new-comer the old settler sees an individual not only destined to rival him in the supply of the government wants, but curtail the keep of his flocks and herds into the bargain.

Though the value of land in New South Wales is increased by more dense population, yet this increased value bears no proportion to the loss the old settlers sustain in other respects.—Hence, in this colony, new-comers are looked upon by these with no very benignant eye, while the traders, on the contrary, are delighted by their arrival, viewing in every new emigrant a prospective customer. The reverse is the case with the American old settlers; because, whilst their property is increased in value

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by a denser population, there is no high government expenditure to create jealousy and rivalry, and no land around fit to graze stock upon, except what is cleared by family labour;—they have therefore nothing to lose and much to gain by new settlers "*squatting*" near their locations.

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CHAPTER VIII.

Hints to the new settler, particularly with reference to his first proceedings upon his farm—Clearing and fencing—Clearing altering the temperature—Agricultural operations—Grants to emancipated convicts—Deficiency of capital—Grants to emigrants and colonial-born population.

On making up your mind to emigrate, it is a good rule to mark down in your memorandum-book every thing that strikes you as likely to be useful upon your farm, the instant it occurs to your recollection, finally arranging all previous to completing your purchases; and if you only carry a portion of these articles up with you on first settling upon your grant, follow the same practice again there, that you may be certain of having every needful article ultimately about you. It is astonishing what annoyance and embarrassment the want of an apparently very trifling article will give.

The markets of Sydney are so variable, that it would not be advisable for any one unacquainted with them to embark his capital outwards in a mercantile speculation. Depositing it with a substan-

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tial firm in London, and taking a bill for the same at a twelvemonth's date including interest, or a letter of credit for the amount upon a Sydney house, would be the most prudent plan, because bills on England have for some years borne a premium in the colony, and in the event of such being lost, their amount is still recoverable. Sovereigns are the next most advisable articles, and lastly dollars. Sovereigns have been worth 1*l.* 2*s.* 6*d.* in New South Wales for some time back, while dollars may be purchased in London at 4*s.* and 4*s.* 2*d.* and are passed in the colony at 4*s.* 4*d.* by act of parliament. It is contrary to the interest of emigrants to carry out British silver, because it passes for the same value in the colony as in England; while on the contrary it is the interest of individuals returning to England to bring such home with them, as being the only species of coin they do not lose by on arrival; and in this way the British silver coinage will be gradually drained from the colony as well as by exportation on mercantile account.

A harness cask made from an old beef-barrel, secured by a hinged cover, with staple and padlock, for your salted meats; a second, of the same kind, for your flour or wheat; and three smaller ones for your tea, sugar, and tobacco, are very use-

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ful appendages; as they not only secure the contents from rain, but also from the fingers of the pilferers who may be handing them about.

Salt pork is preferred to beef on first settling, because less of it being required in the ration, the carriage is much easier: but if you take a herd of cattle up at once, it is as well to secure a few lean bullocks among them to be fattened, killed, and salted as required. You will find likewise four white-painted tarpaulings, to cover your loaded carts and drays with, most beneficial. They are procured at Edginton's, 244, Tooley Street, Borough, and cost 3*l.* 10*s.* apiece. Besides keeping the dray-loadings dry, they may be converted into most excellent tents, by stretching them over ridge-poles, supported upon two forked posts, closing up one end of the tents by sheets of bark, and covering the whole with loose sheets of this also, to keep the tent cool within. Black tarpaulings would soon be burnt to a cinder in our Australian sun. By far the best tents, however, are those made of white-twilled woollen, such as our Paramatta cloth, woollen resisting the passage of the rain, and making a cooler tent in summer, and warmer in winter than canvas, on account of its conducting heat badly, while it is not so liable to take fire as the other. The gipsies live comfortably summer and winter in their blanket tents,

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while under canvas ones they would be roasted in the one season and frozen in the other. The carts and drays should be broad-wheeled, (about 4½ inches,) as it is now pretty well proved that broad-wheeled vehicles with heavy loads are easier drawn than narrow-wheeled ones, their greater steadiness making amends for their additional weight, while their less-likelihood of bogging and cutting up the soft ground renders their use in farm-labour far superior to the others. Plate-iron cut into proper breadths, and nailed upon the wheels for tines, answers excellently upon our bush-roads; and therefore, this description of article forms a very good addition to your catalogue.

In buying bullocks, always see them previously at work in plough and cart; note down their names; and observe how they are accustomed to be yoked, taking care to secure a good leader. A strong tether and a pair of strong fetters for their fore legs are essential, as the bullocks require to be tethered or fettered every night when let loose on the road, and even some considerable time after you are upon your farm, until they take a liking to the place,—the trouble occasioned by their straying being often excessive, while a week or so lost in their labour may frequently forfeit to you the chance of a crop for that year,—a most important

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consideration with all new settlers; to whom the labour of the distant cartage is far more vexatious and oppressive than the price of the articles carted. A black native upon the list of your establishment will be found well worthy of his hire, as he will not only supply you most abundantly with game, but recover readily for you your stray cattle, from their acuteness in tracing.

After housing your stores, the next great point is, to put the plough in action, that you may get in whatever crop comes first in season, carrying up with you three fencers, if you can obtain them, to secure crops by a good four-railed fence, from the depredations of your stray cattle, one night's mischief from which will often destroy your whole twelvemonth's expectations. Wheat being sown from February to May, and maize planted in October, November, and December, you are therefore always ready for one or the other; while two plantings of potatoes in the year insure two root-crops annually also. A good stock-yard and grazing paddock for your working bullocks, should follow as speedily as possible, and might in some cases beneficially take precedence.

Fencing land is performed by free labourers, at 3*s*. 6*d*. per rod of twelve feet for four-rail fences, with butted posts two feet in the ground;—the

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principal part of these payments being, however, made by you in the shape of provisions, clothes, and spirits, from which you have a profit of at least thirty per cent. You are allowed by act of council to pay part of your servants' wages in spirits, because spirits were found to be the best stimulus to call forth their exertions, the greater portion of them formerly working like slaves till they secured a sufficiency of dollars for a good debauch, then retiring to the nearest public-house to enjoy it. In this way they would often have to ramble a distance of thirty miles or more, and idle away a great portion of time, to their own detriment as well as that of their employer. The settler now supplying this desideratum, they will occasionally take to a fit of hard drinking for a few days, when their wages will admit, but the debauch being committed on the spot, no time is lost in travelling to enjoy it, and the profit goes into the pocket of the settler instead of into that of the publican.

The fencing a portion of ground for a garden and orchard, and the erecting a suitable house, require early attention. All kinds of garden-seed should be taken out from England, as well as peach, nectarine, apricot, and cherry stones, and apple and pear pips, for the raising of seedlings.

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Procure also as many as possible of these in the colony, to plant in the nursery portion of the garden, to be afterwards transplanted into your orchard or field-rows; as, although the trees raised from seed will generally produce very inferior fruit, yet this fruit is quite good enough for pies and puddings, while a few good species to propagate by grafting, may always be selected from among the different varieties. Vines are abundant in the colony, and some thirty or forty slips from them, with a few dozen grafted trees introduced into your garden from the nursery-grounds of the colony, will in a few years insure you a very fair crop of fruit; but indeed our peach-trees, raised from the stone, will produce fruit in from three to four years generally at the most. Melons and pumpkins are most productive in this climate; therefore as the first constitutes a most refreshing luxury in hot weather, and the latter an excellent substitute for apples in puddings and pies, an acre of ground cannot be better disposed of than in growing them.—Houses on the first establishment are either formed of wattle and plaster, or of split timber and plaster,—the roof being composed of sheets of bark, or thatched with blady grass, which proves by far the coolest roof in hot weather and the warmest in cold weather, thatch being such

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a bad conductor of heat. The great objection to its use arises from its susceptibility to take fire.

Houses are sometimes built, too, of layers of turf and stones, where timber is scarce. In the split-timber houses, a frame is first put up with a groove in the upper and lower wall-plates, to slide the split timber into, after being trimmed by the axe, the width of a plank being chipped out at the corner of the outer portion of the groove of the lower wall-plate, to admit the introduction of the last timber, which is then securely nailed in; and by this means a wooden house may be put up without having more than a dozen nails in its composition. The split timbers are put in quite rough, and chipped all over with the axe to insure adhesion of the coat of plaster. This plaster is composed of alluvial soil, mixed with a portion of cow-dung to prevent it from cracking, and with chopped grass to enable it to adhere, the coat being put on with a light spade and smoothed over with a plasterer's trowel. It is run over occasionally afterwards with the trowel to fill in the cracks; and on being quite dry, whitewashed with lime, plaster of Paris, or apple-tree ashes and sour milk,—the latter forming a tolerable substitute for lime as whitewash. I have known the frame of a house of this description, twenty-four feet long by twelve broad, with a back-skilling, or lean-to,

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of the same length seven feet wide attached to it, put up for the small sum of 8*l.* exclusive of plastering. The house was thatched, had a chimney, and was divided into four compartments; and with the additional plastering, whitewashing, and fitting of doors and windows, I do not think exceeded twenty pounds. The floors are laid with well-wrought hard soil, mixed with sand; shelves formed of bark for your various utensils, and a loft constructed of the same for stowage. A veranda tends materially to the coolness of the habitation, by sheltering the walls from the sun; while a light low fence of split wood carried round it, with a back and front gate, secures it against the intrusions of dogs, pigs, &c. and enables you to leave milk-dishes to air and cool under the shade of the veranda, without molestation. The dairy ought always to be secured, too, by a fence of the same materials.

Land is cleared of timber here, and made fit for the plough, by the government gangs of convicts, at the prospective rate of five bushels of wheat per acre, upon open forest-land, and seven bushels upon brush-land. When the soil is thinly timbered, the best method of clearing, if you wish it done quickly, is to grub these trees out at once, sawing them up into lengths, lopping the branches,

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and burning all off when sufficiently dry. The more usual method, however, is to chop a *row* of trees fully half through, then fell a heavy one at the *end* of the row, so that it may fall against the second, which snapping at the chopped part of the stem, falls in like manner against the third, and so on till the whole row of trees is beaten to the ground in the same way as we see children upset a pack of cards placed on edge. One-third of the felling labour is saved by this process, when it can be carried into effect, which however is but seldom the case in our forests, the trees being at too great distances. The tree when felled is lopped and sawed into lengths; and on all being deemed sufficiently dry to burn off, the stump is bared to some distance and depth around, a good fire made about it (on which the logs and branches are piled), and the stump, trunk, and branches, destroyed together. In stumping land, where the trunks and branches have been already destroyed, dry wood is piled over the stump, which being covered with turf and mould, (leaving a hole at top and bottom for the draught of air to pass through,) is set fire to, and the stump thus burnt out as if in a limekiln. If the settler clears the land with his own men, and is in no great hurry, the cheapest way is to girdle all the trees right

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through the sapwood, and let them stand for three years, when they will burn like tinder. All that is afterwards required, is to dig round and lay bare the stump, make a good log and branch fire around it, and during the first good dry windy day light all your fires, keeping men employed in trimming them, until the tree is burnt through and tumbles down.—The branches are smashed to atoms in the fall, and answer well to keep up the fires; while the burning logs being rolled upon each other, and kept on fire at the crossings, are by degrees burnt into proper lengths to be finally rolled together and all destroyed in the same way. Edge tools require to be particularly well tempered to withstand our hard woods. Our felling axes are long and narrow, to penetrate our iron woods more readily, and with one somewhat larger and narrower still, the mortices are cut in the posts. The trees for splitting, are singled out by the straightness of their stem, its freedom from notches, and the smooth, straight-grained nature of the bark, the swirly bark always denoting a swirly fibre in the wood. Seldom more than three lengths, of seven feet each, can be got out of a single tree, the block being burst, quartered, and then split up into rails, which is accomplished by splitting from the centre outwards, throwing the core away. Each block ave-

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rages about fifteen rails. The wedges are long and thin, with an irregular indented groove up the middle, to make them draw, and be retained better, from the hold the irregularities of the groove give. The common English *sale* gimlets are either soon broken at the point by our woods, or else the handle becomes loose. The best method is to file off a portion of the screw, sharpening the remains to a point, give the gimlet a half turn backwards every bore you make, and clean it frequently. Centre-bits are by far the most expeditious, however, and a dozen sets each of bits for boring nail-holes of all sizes ought to be taken out. The mere girdling of the trees improves the pasture a full fourth; it becoming sweeter from not being exposed to the droppings of the leaves, and more luxuriant from the nourishment formerly taken up by the trees being now applied to the grasses.—It is long before grasses grow upon the places out of which stumps have been burnt, the adjoining grasses being probably kept fed down so close that their seeds never come to proper perfection. But it is astonishing to observe what a height of richness wheat will attain on these spots, every stump-hole being easily reckoned in a field of wheat from this great luxuriance alone;—a circumstance forming a very en-

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rious subject of speculation to the agriculturist, inasmuch as here we observe the finest crops produced in a spot of ground where all vegetable ingredients are annihilated excepting the alkaline salts. It is to the alkaline salts and finely-pulverised state of the soil we must therefore ascribe this luxuriance; and as we see here a spot of ground producing heavy crops without any other vegetable product being contained in it but alkaline salts, may we not ascribe the fertilising properties of dung solely to its possession of these salts, and to its opening and dividing the soil to admit the entrance of the moisture? If this should prove correct, the carbon, hydrogen, and nitrogen, found in vegetable products, must be derived from the atmosphere through the medium of the roots and leaves. Indeed, it cannot much longer be denied that all vegetables derive their sole nourishment from this source, the earth serving merely as the medium through which a part of the atmospheric bodies is conducted to the plant; the leaves absorbing another part, and performing a similar beneficial operation upon the sap, during its circulation, that the lungs do upon the blood, the sap being only nutritious on its return from circulating through the leaves, as the blood is only nutritious after circulating through the lungs.

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The grasses on cleared land are sooner destroyed by the frosts, and therefore the general process of clearing may be said to be the means of rendering a country colder in winter and warmer in summer that when still uncleared, while draining renders it invariably warmer by freeing it of the cold chilling fogs which rise during the day, and fall upon its bosom at night. The cold winds sweep unresisted over the cleared lands, but are checked in their impetus when reaching the wooded portions, so that the former will be proportionally more chilled than the latter, while the sun's rays falling with undiminished energy upon the unshaded grass, cause a sudden thawing of its frozen blades, and consequent deprivation of their vitality, as we perceive to happen in all animal and vegetable bodies when the thawing process is not slowly conducted. —I have seen gooseberries in bloom in the American woods full three weeks before observing them in the open fields; but, to my view, this higher temperature of the forests partly arises from heat being given out by trees during their vegetative circulation; for vegetables being composed of atmospheric airs, their latent heat must be consequently given out during their conversion into solids, and thus made sensible to the feelings, which explains the cause of that genial warmth

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which seems to gush from the ground in a fine spring morning. It is the power inherent in vegetables of generating heat, that I conceive is the cause why dead vegetables are more readily frozen than living ones; for we see the various parts of the human body susceptible of congelation in proportion as their circulation is inert, and less heat thus generated in them. In fencing the fields, it is a material point to have them laid out in regular squares, and in such sizes as may render them easily ploughed, and fit them for pasturage and cultivation. The attention of the colony is beginning to be directed toward the prickly acacia for hedges, the hawthorn being very soft in the spikes here, and not so well adapted for hedges on this account as in England; but while fencing timber is abundant, no other method of enclosure will be adopted, the hardness and durability of our timbers enabling a wooden fence to last for thirty or forty years without any very material repairs being required, if the feet of the posts be charred before imbedding them in the ground.—Hedges require protection from the cattle for some years after being planted, besides constant attention in weeding and trimming for many years more, so that the open rail-fence is on this account, as well as from admitting a free circulation of air over the

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fields, the best of all fences for warm latitudes like ours. From the chilling winter blasts of cold climates shelter is required for both vegetation and stock; but in warmer latitudes every thing which checks the passage of the cooling currents over the ground does harm; so hedge enclosures by stagnating the air, admit the sun's rays to exert a more powerful influence, and thus burn up the pasture.

The only species of shelter required in latitudes like ours, is shelter from the noon-day heats for our grazing stock, by means of clumps of thick-foliaged trees scattered over the enclosures. Clumps of trees, therefore, to afford this shelter to the cattle, as well as ponds of water for them to drink from, are requisites in every field, as soon as time will admit their construction. The best method, is, to surround each field with a shallow ditch, of about one foot deep and two feet and a half broad, the whole of the ditches communicating with each other, and terminating here and there, as required, in ponds scooped out at a corner where four fields meet, covered with a bark-shed, and planted round with trees to protect the water from evaporation. The pond might open into each field by a slip-rail entrance, so that whenever a field was under pasture, the rails might be taken down to admit the

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cattle, while patches at other corners being planted with thick-foliaged trees, to afford shade during the heats, these patches might in like manner communicate with the fields by means of slip-rail entrances. The ditch surrounding the field would not only drain the water off, but prevent our rapid-spreading summer fires from extending their ravages thereto,—a point of no trifling import in an arid country like this, where the grass blazes with such rapidity that it is often an extremely difficult matter to save our fields of ripened grain from its fury.

In the selection of agricultural instruments, much of their utility of course depends upon their scientific construction; but I could never have believed that this existed to so great an extent in ploughs, had I not personally witnessed an experiment made by two of my friends in the vicinity of London.—The field experimented on had been some years under grass, and was pretty tough and stiff to turn up, while the force required to urge each plough through the ground was measured by a spring steelyard fixed between the wipple-trees and the plough, the furrow being five inches and a half deep and nine inches broad. At the conclusion of the experiment, it was found that the common Middlesex plough required an average

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force of five cwt. to urge it onwards; Wilkie's plough, four cwt.; and the same description of plough, with a wheel to take off the friction upon the heel and side-plates, only three cwt.; the latter thus requiring little more than half the power of the former to perform its labour, arising solely from its more scientific construction; for the weights of the whole three differed very little, while the construction of the two last only varied in the latter having a wheel, thus reducing the power required to move it one full cwt. by this simple addition alone.

Again:—in yoking horses, abreast or lengthwise, it was found that two horses abreast were nearly equal in power to three yoked lengthwise, owing to the resistance of the body to be moved increasing with the distance of the moving power therefrom, of which any person may speedily satisfy himself by tying a long string to a stone, when the more he increases the length of the pulley, the more difficulty will he find in dragging along the stone; the short pulley lifting up, and the long pressing down the substance moved, and thus increasing the friction. Two horses abreast, also, not only act with more effective combined force than when yoked lengthwise, but the plough offers less resistance, from the axis of draught being in a more

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direct line; while the whole force required to drag the plough out at the endings, and turn it into the other furrow falling upon the horse nearest it, in dragging lengthwise, one will be covered with a heavy perspiration, while the others are not at all distressed. In a farm requiring four ploughs, by yoking the horses abreast instead of lengthwise, and using ploughs constructed upon scientific principles, four horses might thus be dispensed with: and as, by Middleton's account of Middlesex, it appears that each horse in that county costs annually 50*l.* to the farmer, a sum of 200*l.* per annum would thus be saved on each four-plough farm, besides the wages of four plough-drivers,—which would maintain tolerably well his whole family during that period.

In breaking up new land, it is advisable (when time admits) to trench-plough it over first to the depth of fourteen inches, the plough going twice in the same place, by which means you not only secure a reservoir for the rain and dews to collect in, for the supplying of moisture to the plants during the summer droughts, and a deep bed for their roots to spread through, but you bury deeply all the surface weeds and seeds, and benefit your land for years. A well-constructed scuffler, too, is of immense assistance on any farm, but particularly

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where the saving of human labour is of such paramount importance as in New South Wales. The best-constructed specimen I have seen is in possession of a friend near London, from whose model I have had one made. It is of a triangular shape with a small wheel at each angle, made to slide up and down, so as to admit the scufflers going to any depth that is wished, nine *duck's feet* being fixed in at proper distances, which can be taken out and replaced by a set of coulters to chop up the newly broken land which the *duck's feet* could not readily work their way through. One turn of this scuffler goes over as much land as six ploughturns, besides pulverising the ground fully three times better than a second ploughing could; while the soil which has already been mellowed by exposure to the sun and air, is not *buried* as by the second ploughing, but merely *stirred*, and thus left upon the surface for the seed to germinate in; nor is the moist soil beneath turned up to the air, to be drained of its moisture, by the scuffler,—a main consideration in a dry climate like ours, where moisture is too great a treasure to be heedlessly wasted. When new land is broken up, and you are in haste to pulverise and sow it, if you plough it across, the grassy soil is all cut up into square clods, which in dry weather become as hard as

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baked bricks, and defy the teeth of the harrow; while if you plough again the same way as at first, although pulverisation is somewhat better accomplished, yet it is still immensely defective; but with the scuffler run along it lengthwise it is sliced completely up by the coulters, and crossing it again with the same, you put it in such a state that the harrow will effectually complete the object. Twice going over with the scuffler will thus be accomplished in one-third of the time required for a single ploughing, besides breaking the land up in such a manner that there can be no comparison between the two systems.—The roller is another English implement, the more extensive use of which will prove of vast service in effecting a speedy and perfect pulverisation of the soil, being in fact indispensable in all stiff lands when laying them down in grass, as in comparison to the fineness of the seed sown, so must the fineness of the pulverisation be. By passing the roller also over newly-ploughed land, as is done in Middlesex, the harrows are afterwards enabled to shake the soil into powder with greater ease.

Mowing of the crops is the best course of proceeding, generally speaking, in our colony, where a sufficiency of harvest hands cannot be commanded as in England. With a bow at the end of a scythe-

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handle covered with canvas, the crop may be laid over in even swathes; cutting *toward* the standing corn when you wish to bind it in sheaves, (as this admits of more easy accomplishment when thus supported against the growing grain,) and cutting again *away* from the standing corn when you wish to fork it loose upon the cart and ted it in ricks like hay. A horse or bullock is made use of for this purpose at home, which is led about the top of the rick by a halter, and on finishing is eased down upon the ground by means of a few cart-loads of corn shot up against the rick. The grain can be thrashed by the flail as readily in this loose state as when bound up, as also by the thrashing-machine without the rollers. The grain would doubtless also be more cheaply and expeditiously trod by bullocks or horses, as done in almost all dry climates; bullock-labour here besides being always readily available, while the labour of man is a more scarce and valuable commodity. The cattle might be driven round a circular enclosure, fastened to a hoop moving round a post in the centre of it.

As white clover flourishes particularly well in this climate, and is so much relished by pigs, geese, &c., it is of some consequence to propagate it as speedily as possible; and as it spreads

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rapidly wherever it takes root, a patch put in here and there among the native pasture, by means of a rake where the sward is burnt off, would gradually effect the object without other cultivation. Cultivation of clover, to mix in layers with your straw, too, after being newly mown, (so that the straw may imbibe a portion of its flavour and juices,) will be found of great importance to the milking and fattening stock during the winter frosts and summer droughts, when hay is not attended to;—and as the straw for some time after settling is usually burnt off to be got rid of, it may thus be converted into an agreeable and nutritious article of food by very trifling labour. All your out-houses, and your stack-yard also, ought to be surrounded by bare paths, to prevent the summer fires from reaching them; and as saving of land is no great object at the outset, it would be well to place your stacks at a distance from each other, in a line fronting the most prevailing wind, so that if one chanced to take fire, the rest would run little risk of catching the flames.

In prosecuting these primary improvements upon your farm, it must never be forgotten that the paramount consideration with all new settlers is to expend no capital upon any object, except such as will bring you a return. Capital expend-

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ed in building, clearing of land, fencing, and the like, where such are not pressingly wanted, is completely lost to you *for a time at least;* but by expending it in stock, which will make you a speedy return of from twenty to thirty per cent, you are soon enabled to carry on such improvements out of your income, while increasing your capital also.

Certainly the annoyances and disappointments experienced on first settling are often very great; —such indeed as may frequently induce the desponding noviciate, in a fretful moment, to lament the hour in which he became a tiller of our untamed soils;—but twelve months of patient endurance free you from all your troubles, when coupled with a moderate share of exertion and something to commence with. An emigrant must not be induced to leave his native country for the sake of beholding fine prospects or novel scenery, but must be actuated solely by a wish to better his condition in life, and lay the foundation of a comfortable independence for his children. He must not draw comparisons between the English soil and scenery and those of this country; because he should consider that while he views the latter in the rude unadorned state of nature, he contemplates the former arrayed in all the artificial embellishments, and enriched with all the artificial

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means, which taste or industry can infuse into them. He must consider what England *has been*, and comparing her with what she *is*, contrast her former barren wilds with the same land now converted by cultivation into fertile landscapes; a contrast, the means of forming which are afforded by the relative state of Hounslow Heath ten years back and at present.

It is he who has seen, and is thus able to compare, the natural scenery of Australia with that still existing in other new countries, like America, who can justly judge of the relative beauty of ours; and in this particular certainly Australia far exceeds any other new country I have hitherto beheld;—the low, woody, monotonous outline of the North American coast, makes but a dingy comparison with the bold, lively scenery displayed here. Can I, in fact, say more in favour of my adopted country, than that the legal interest of money therein is ten, and sometimes twenty per cent?—proving plainly how profitably cash may be employed here, since so high an interest is willingly paid for the loan of it.

The propriety of conferring land on emancipated convicts has been questioned by many here; inasmuch as having generally no primary capital to begin with, they are consequently, it is alleged,

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either forced to borrow money to improve the land at such an exorbitant interest as to swallow up the whole of the proceeds, or to dispose of the same, from an impossibility of effecting its cultivation. The land meanwhile is exhausted by their unskilful agricultural operations, and is finally delivered over into the possession of some trafficker in rum, as a quittance for the advances of that beverage they made by way of mortgage upon it. This is the history of probably three-fourths of the small emancipist settlers, whose universal family-crest seems to be comprehended in the potential reality of a rum bottle, and motto in *Dum vivimus vivamus*. Disastrous as the course of these individuals has generally been to themselves, yet they have undoubtedly conferred considerable benefits upon the public, supplying, as they have done, our markets with abundance of fruits, vegetables, pigs, poultry, and other second-rate substantials, which the wealthy settlers will not condescend to rear; while serving in some measure, like the American backwoodsmen, the office of pioneers to prepare the way for a more healthy population. It has generally been found impolitic to locate them among the emigrant settlers, because too many of them become the ready receivers of whatever the servants of the latter filch; and, being located in a community together,

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the old proverb of "Hawks will not pick out hawks' eyes," is found to be in a great measure realised; fear of *retaliation*, with interest, making it the interest of all to forego their ardent foraging inclinations, and acquiesce in a general truce.

The cause of the too common failure hitherto of this species of colonization, has been principally owing to the grantees being people from towns, totally ignorant of farming, and too dissipated ever to prosper in any calling where they could exercise a will of their own. By a more judicious selection of these individuals, however, and a proper regulation of the terms of this grant, a beneficial impulse would not only be given to the whole convict class, but a great benefit be conferred upon the community. The land granted them ought to be near towns, as recommended by the Commissioner of Inquiry, and granted them only in life rent, to descend as a freehold to their heirs; thus guarding against its sliding quietly, as usual, into the possession of the rum-seller. The land, of course, should be held at a redeemable produce, quit-rent sufficient to defray any primary expense laid out upon it by the government, and the purchasing up of the quit-rent in a given time, to entitle the holder of the grant to a farther similar donation, as a stimulus to exertion. Nothing can

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operate worse, in a general sense, than granting of land, without exacting any value for the same. Necessity is the only stimulus that goads nine-tenths of mankind on to exertion; and the terror of the quit-rent hanging over their heads, operates as a most beneficial stimulus to excite them in industrious pursuits. Thousands of acres of fine land in this colony and Canada have been lying these twenty years and more, since granted, mere unproductive wastes, from the holders having nothing to pay for the same, and nothing therefore, in consequence, to rouse their activity to improve them. Those settlers in Canada who gain their land on the easiest terms, are almost uniformly the most indolent. The quit-rents ought certainly to be moderate, just sufficient to make a man bestir himself, by the anxiety they excite, to be able to liquidate them on becoming due. There is a great extent of waste land round the towns of Sydney, Paramatta, and Liverpool, that might be exchanged, by the present holders, with the government for the above purposes; and which after being cleared, and having its surface soil hoed and burned by the penal gangs, would, I have not the smallest doubt, turn out generally very good agricultural land. It is true, that this land at the present juncture is sterile, as far as herbage is concerned; yet its luxu-

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riance in brushwood and stately trees shows it, in its present state, to be well adapted to some vegetable products, though not to others: and it may be set down as a maxim, that the soil which affords a luxuriant nourishment to one species of vegetable substances, can always, by a proper course of cultivation, be made capable of rearing most others.

Capital is the great desideratum at present in our rising colony; and where upwards of twenty per cent is often paid for money lent on mortgage, it must be evident how well it would pay an English capitalist to invest his capital in that way here, realising, as he would, a certain steady income of at least ten per cent for it, by securing a competent and trustworthy agent in the colony to manage matters for him. When more than three per cent can scarcely be realised in the English funds, and ten per cent has been considered a good interest on money lent in wild South American loans, what a contrast do the prospects of money investments in Australian mortgages hold out—a country subject to British laws, and inhabited by enterprising and industrious British subjects. Much has been said of the inattention of preceding governors to the wants of our amiable Currency population; the emigrants, it is alleged, having a partiality shown to them in the granting of land, of which po-

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licy as well as justice demand an alteration. The emigrant, as a matter of equity, is entitled to an extra proportionate grant, to defray the expenses incurred by him in emigration; but beyond this, the bonus ought not to extend; Sterling and Currency should otherwise be placed on a basis of perfect equality.

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CHAPTER IX.

Convict-servants—Their management and maintenance—Bush-rangers—*Pedestrian* journeys of runaways toward Ireland, China, and Timor—Piratical carrying away of ships and boats by convicts—Settlements of them upon unappropriated portions of the Australian coast.

CONVICT-servants are now assigned on application being made for them in a printed form to the land board, stating the particular description of servant you want, the number of other convicts you employ, what land you have in cultivation, &c.—a preference being always given to the new settler, to enable him to proceed with his infant establishment. You cannot now, as formerly, apply for any particular individual; a system liable to great abuse, inasmuch as it enabled culprits who had friends here to enjoy again the company of those old associates from whom they had long been separated, and who might be now swelling about as "gentlemen commoners" in the colony; hereby defeating entirely the object of transportation, in making the convicted felon often much better off

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than *before* conviction, and giving him means to strut about and ape all the airs of a man of fashion.

The convict-servants are accommodated upon the farms in huts walled round and roofed with bark, or built of split wood and plaster, with thatched roofs. About four of them generally sleep and mess in each hut, drawing their provisions every Saturday, and being generally allowed the afternoon of that day whereupon to wash their clothes and grind their wheat. Their usual allowance I have already stated to be a peck of wheat; seven pounds of beef, or four and a half of pork; two ounces of tea; two ounces of tobacco; and a pound of sugar,—weekly; the majority of settlers permitting them to raise vegetables in little gardens allotted for their use, or supplying them occasionally from their own gardens. Wages are only allowed at the option of the master; but you are obliged to supply them with two full suits of clothes annually; and you also furnish a bed-tick, (to be stuffed with grass,) and a blanket, to each person, besides a tin-pot and knife; as also an iron pot and frying-pan to each mess. The tea, sugar, and tobacco, are considered *bonuses* for good conduct, and withheld in default thereof.

To get work done, you must feed well; and

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when the rations are ultimately raised upon your own farm, you never give their expense a moment's consideration. The farm-men usually bake their flour into flat cakes, which they call *dampers*, and cook these in the ashes, cutting their salted meats into thin slices, and boiling them in the iron pot or frying-pan, by which means the salt is in a great measure extracted. If tea and sugar are not supplied, milk is allowed as a substitute, tea *or* milk forming the beverage to every meal. Though not living so comfortably as when every thing is cooked and put down before them, yet it is more after their own mind, while the operations of preparing their meals amuse their leisure hours, and give a greater zest to the enjoyment of those repasts. When the labour of the day is over, with enlivening chit-chat, singing, and smoking, they chase away *ennui*, and make the evening hours jog merrily by. Indeed, without the aid of that magic care-killer, the pipe, I believe the greater portion of our "pressed men" would "take the bush" in a week after their arrival in our solitudes, before time had attuned their minds to rural prospects and industrious pursuits. It is a point of consequence, but too much neglected in the colony, to treat the farming men with feasts after sheep-shearing and harvest, and on Christmas-day;

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for, by accustoming them to look forward with pleasant hopes to the periods of such jubilees, and to pass many agreeable hours of after chit-chat about them, you not only reconcile them better to their situation, but give a fillip to their spirits, which makes labour glide more smoothly and merrily on. There is also another important point but too much neglected,—the reading of the church-service, and a suitable sermon to them every Sunday,—which, if serving no other good purpose, obliges them to appear clean and neat on that day, by the sort of rivalry in this way excited, while it cannot but tend to bring about a greater decency of conduct—the first step toward effective reformation.—Clergymen indeed are, and can be, of little service in this colony to the convicts; because if allowed to attend church without a responsible person to bring them back, they convert the Sunday into a day of drunkenness, if spirits are within reach, and often into a day of plunder too. In consequence of this, no master who has his own interest and the interest of his workmen at heart, will even permit them to visit church unattended; and will, in fact in every case, do them more good by standing parson himself: the ramble to even that distance unsettling their minds, while the conversation with the old friends they

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meet with after the sermon has seldom any thing of a gospel nature in it.

Convicts, when first assigned, if long habituated to a life of idleness and dissipation, commonly soon become restless and dissatisfied; and if failing to provoke you to return them into the government employ, wherein they may again be enabled to idle away their time in the joyous companionship of their old associates, will run off for head-quarters, regardless of the flogging that awaits them on being taken, or on giving themselves up,—the idle ramble they have had fully compensating them for the twenty-five or fifty lashes they may receive, in case they should not be admitted among the list at head-quarters. Many, too, start off for want of something for their fingers to pick at,—the leader of one batch of runaways from a friend of mine exclaiming to those he left behind, on bidding them adieu, "Why I may as well be dead and buried in earnest, as buried alive in this here place, where a fellow has not even a *chance!*"—The chance here wished for, not being the *chance* of bettering his condition by good conduct, but by emptying the full pocket of some luckless wight! If they can be coaxed or compelled to stop, however, for a *twelvemonth* or so, the greater portion even of the worst generally turn out very fair, and often

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very good servants; cockneys becoming able ploughmen, and weavers, barbers, and such-like soft-fingered gentry, being metamorphorsed into good fencers, herdsmen, and shepherds; a little urging and encouragement on the part of the master, and perseverance in enforcing his authority, generally sufficing.

The convict-servants commence labour at sun-rise, and leave off at sunset, being allowed an hour for breakfast and an hour or more for dinner. It is long before you can accustom the greater portion to steady labour, the best of them usually working hard by fits and starts, then lying down for an hour or two, and up and at it again, To get your work readily and quietly done, the best method is certainly to task them, and allow them to get through it as they please; but as it is an object to accustom them to *regular* industry, it will eventually serve your purpose better, and benefit them more, to keep them at constant work. Even some of the free-men who have served their time are perpetually skipping about, seldom remaining long in one situation.

The great body, however, of the convicts turn out, as I have said, to be good servants, and you will exact as much labour from them in general as from free labourers in England. The recent admirable

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regulations of the present government to benefit both the convicts and their employers, (particularly the institution of the defaulters' gang, in which the fugitives from the settlers are to be kept at hard labour and spare diet,) will prevent all future elopements with a view to fatten in the service of government as heretofore, and prevent the infliction of much corporal punishment besides. By seclusion in the country, and keeping their bodies and minds in a healthy state through wholesome food and wholesome labour, their old thievish habits gradually wear off. The chief incitement to theft is, the vicinity of a receiver for the plunder; but in the neighbourhood of our *new* settlements we possess none such: while, for what *purpose* should they thieve, since they have food and clothing sufficient to satisfy all their longings on that score, and *drink* is at too great a distance to admit any hope of indulgence therein, except what may be bestowed by the master for some special instance of good conduct.

We constantly see convict-servants trusted to bring home, from distances of seventy or eighty miles, cart-loads of valuable property, for which they generally account as strictly as the most honest in England; while others, again, have charge of houses containing property to a great amount,

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and faithfully perform their duty thereby. I do not mean to say but that a large portion of these would gladly steal what they are intrusted with, if they could do so without detection; but the fear of this,—the fear of losing a good situation,—and the dread of the punishment that is *pretty sure* to follow, make them keep their fingers straight until freed from the irksome and unusual position they are placed in of superintending what they dare not and probably care not to steal. Some, disgusted with restraint and steady labour, will occasionally take to the woods, and subsist by plundering the settlers around, with whose convict-servants they are frequently leagued. This method of robbery is denominated "bush-ranging;" it has been a severe scourge to Van Dieman's Land, and was fast becoming so here likewise, till the arrival of our present able governor and the energetic measures which he pursued quickly checked, and will no doubt finally put a stop to it. It was during the administration of our late governor, that the system of bush-ranging arrived at something like perfection; for, deeming it better to entice all runaways to return to service by holding out a pardon for their misdeeds, than undergo the trouble of hunting them down; and deeming, too, the *punishment* of removing the desperate offenders

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convicted of robberies and such-like to the "Live well and do little" penal station of Port Macquarie preferable to hanging or flogging them,—numbers of individuals were soon found wise enough to compound matters on these easy terms. Thus they enjoyed a life of idle, riotous indulgence, on account of the little or no exertion used to apprehend them, and took the benefit of the first "act of grace," if tired of living by robbery. They knew that the worst which awaited them, on conviction before the *criminal* court, (of any crime short of murder or rape,) was simply, a removal to Port Macquarie: while, if their offence was but trivial, they would be taken before a *magistrate*, and receive a good flogging, in *addition* to such removal, so that they were not long puzzled what species of crime it was most conducive to their interest to perpetrate. The active measures, however, now in force are well calculated effectually to check these wholesale depredations; while the hints that may be gleaned from the destruction and capture of the Van Dieman's Land banditti, and those who lately infested New South Wales, may be usefully applied.

In Van Dieman's Land, the gang was thinned by the chief magistrate there hiring two daring

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fellows of the class of convicts, on promise of free pardon and other rewards, to *join the gang*, participate in all their marauding exploits, and knock every one of them on the head whom they could so dispose of without risking detection. Through this plan, the worst were quickly weeded out, and the gang eventually captured by the informations given against them. In New South Wales, again, one of the banditti was admitted king's evidence, by which means the greater portion of the fruits of their robberies was recovered, and a number of the receivers convicted. This plan being followed up, receivers will in future be shy of purchasing such things, seeing the very robbers they purchased them of may betray them, to save their own necks. Decided receivers ought indeed to be worked in irons during the whole of their sentence, without a prospect of mitigation; for, being the *instigators* to crime, their punishment ought to be greater than that of the *perpetrators*.

These freebooters often behave with great wantonness and barbarity in the committal of their robberies; while, on the other hand, some of them have shown, when marauding over the colony, a degree of chivalrous feeling worthy the best days of Captain Hinde. A gang of four, who had long infested the settlement of Hunter's River,

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and robbed indiscriminately every other settler around, never molested the premises of a friend of mine, on account of his having come out as passenger in the ship in which one of them was a convict,—into whose good-will this gentleman had so far unawares ingratiated himself, that his unknown friend declared he would forsake the gang if Mr. G.'s house were assailed. The captain of the gang last broken up in the county of Cumberland would take his station among the ladies who might be in the house, and remain in their company while it was ransacked by his party, soothing their fears, on first entering, by assuring them that *not an improper word should be uttered*, or the slightest violence offered to their persons by any individual under his command; and he invariably kept his promise. This Don Rolando was quite a literary character besides, never failing to rummage the *library*, and select what works pleased him best; and when reminded once of the inutility of carrying off Scott and Byron, seeing nobody dared buy them of him, "Oh!" said the romantic hero, "books are very *instructive*, and very amusing, too, in the bush when we have nothing to do;" and he forthwith bore off his literary gems.

The vanity of being talked of, I verily believe, leads many foolish fellows to join in this kind of

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life,—songs being often made about their exploits by their sympathising brethren; while the *fame*, such as it is, which they acquire, is enough to make many restless spirits who long after any species of *immortality*, venture considerable lengths to obtain it. It is the boast of most of them, that their names will live in the remembrance of the colony long after their exit from among us to some penal settlement, either in this world or the next; Riley, the captain of the Hunter's River banditti, vaunting that he should be long spoken of (whatever his fate might be), in fear by his enemies, and in admiration by his friends!

The colony had not been long settled, before it was *discovered* that China was but a *tolerable walk* from it; and many pedestrian attempts have been actually made to reach the dominions of the "brother to the sun and moon;" numbers of these pedestrians having *succeeded* (the others plainly see) in the attempt,—never having *been since heard of!*

The first party that essayed this undertaking consisted of twenty persons, who set out on the journey in August, 1791; but through want of sign-posts, or some other essential, on the way, they became bewildered in the woods, and returned to the settlement so squalid and lean, that the

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very crows would have declined the proffer of their carcases. Many exploring parties have set out since on the same errand ; but only one individual has been hitherto known to have *positively* reached China through means of a foot-path, and this "happy he" was an adventurous Hibernian.

Paddy started off boldly alone on his holiday excursion, with a bag of boiled beef slung over his shoulder, a bag of biscuit dangling at his belt, and a paper of sugar snugly stored up in the crown of his hat, to sweaten the tea he meant to pull off the bushes as he jogged along over the China borders ; and after three hard weeks of toilsome trudging over rugged hills, along more rugged valleys, and through bushes which would have put a pig to a *nonplus*, Paddy was at length startled from a philosophical reverie by the cheering crow of a cock in the distance ;—with shouts of "China for ever!" he hobbled onwards, eager to feast his longing eyes with the beauties of a Chinese landscape, and hungry enough to feast even on a raw Chinaman himself—Lent-time though it was.

At length a patch of the long-sighed-for country burst upon his view, consisting of a few cultivated enclosures, a snug garden, and a trim-built cottage spouting up its column of curling smoke in the

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centre of the scene. To observe, however, the very cottage and every surrounding object bear a close resemblance to similar ones in the country he had left, gave a new fillip to his joy, which was screwed up to a still higher key on perceiving a gentleman in the garden dressed in *European* costume! but he was ready to skim over the five-foot fence between them, like a swallow, on recognising under the broad brim of the beaver the friendly face of Colonel Johnstone, commanding the New South Wales corps, whom he had left in the colony at his departure, but who had thus arrived by some nearer cut in China before him. Paddy, eager for the first congratulation, craned out his neck over the garden-fence, and squeaked as loud as his hoarse hollow voice would admit! "Arrah! long life to you, colonel! and what has brought your honour to China all the way!" The colonel, startled at this novel salutation, came to a speedy *eclaircissement* with the *peripatetic*, who to his sorrow now found that, instead of keeping *straight on* upon the high road to China, he had made some unfortunate "*right about face*" on the route, whereby he had been brought back within a few miles of the place whence he started!

Many attempts have been made, also, at various

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times, to reach Timor in the same way, and within these few years Ireland itself has been aimed at; but no foot-passengers, I *believe* (I like to be cautious), have *as yet* arrived there from this colony. I wondered, at first, that none had hitherto ventured toward the East Indies on foot, till I found they reasoned very justly, on this point, that, as the East Indies must lie to the *east*, in which direction the colony is bounded by the sea, they knew they could proceed thither only in a vessel; but the names of the other countries not indicating their position, they had hopes of the reports being true of their joining the colony.

Toward China and Timor they travel sometimes south, and sometimes west; but toward Ireland they *always* travel *southerly*, knowing that as Ireland is a *colder* country than New South Wales, and that the cold winds blow here from the south, *therefore* Ireland *must* lie in that direction. It was an Irishman accompanying Governor Macquarie on his interior tour in 1821 who first ascertained the proximity of Ireland, by detecting the blue mountains of *Connaught* in the distance beyond a river of red water which put a stop to their journey. Several large parties instantly set off on foot for the joyful country; the whole of whom were either taken, or returned on losing their

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way, or on their provisions becoming scanty. The buoyant spirits of "*the boys*" were knocked under for a time by these mishaps, till a *slip from the sod* in the service of one of our literary traders, who had enlightened his understanding by stolen glimpses into his master's library, again roused them from their torpor by volunteering to be their guide. This he was well able to do in consequence of having acquired a thorough knowledge of navigation by the occasional perusal of a stray Norrie, that was buffeted about his master's counter; so, cunningly tearing out the print of the compass on its front page, to steer by, he set out to conduct his party to Ireland; but with all his learning, this attempt proved quite as unsuccessful as the former, the paper compass losing, somehow or other, its magnetic properties on the route.

The most sensible of any land-journey that has been yet taken was one headed by a seaman who went out with me in 1819. Getting a party to accompany him, he secured arms and ammunition, working-tools, cattle, and every thing requisite to form a settlement in the interior, which he had projected; and his party proceeded onward over the Blue mountains, till, losing themselves among the ranges, they were captured by a troop of soldiers and natives sent in pursuit.

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Attempts to cut out vessels and escape in them have likewise at different times been made; several of these attempts being successful in the first instance, but generally terminating fatally to the individuals concerned.

The first vessel cut out in this way was the brig Harrington, in 1803, by a party of convicts under the direction of a fellow named Stewart, formerly a lieutenant in the navy. Stewart had been long watching an opportunity of the kind, but was too cautious to admit others into the secret, sounding, nevertheless, meanwhile, such as he thought would meet his views, and arranging matters in his own mind. The Harrington, loaded with a valuable cargo, and filled with provisions and water for a long voyage, lying at anchor in Cockle Bay with a fine wind blowing right down the harbour, at last presented the opportunity he longed for; so, summoning separately the individuals he relied on to join him at a certain point, at a certain hour, he made his project hastily known on their assembling; and seizing a boat, hurried on board the vessel, secured her crew, loosed her sails, cut her cable, and was steering triumphantly down the harbour before a single individual was aware of what had taken place. The Harrington was however captured by the Grayhound frigate in the

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Indian seas, and both vessels were finally lost on the coast of Luconia.

Another vessel, cut out of Hobart Town, was run ashore on Christmas Island, near Java, the runaways proceeding on to Batavia in the boats, and passing for the crew of an American ship wrecked there; but being detected, the remnant of them was sent back to the colony.

The Trial, another brig cut out of Sydney, was found a wreck on the coast, but without discovering a vestige of the runaways except the bonnet belonging to a soldier's wife, known to be on board, lying under a bush.

A fine schooner called the Eclipse was cut out of Newcastle in 1825, and no accounts have been since heard of her.—Many boats have been also run away with, carried to some snug harbour on the coast, fitted properly out, and attempts made to reach South America in them, one of which is known to have been successful, a letter having been lately received from the projector of the plan, detailing his proceedings.—Settlements have been even formed by these runaways on various parts of our coast, and we shall doubtless hereafter find the complexions of our dingy tribes bleached in some of these places after the manner facetiously described by Boongarré, "*My gin*

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eatit too much white bread." At Kangaroo Island, on our southern coast, about four hundred miles to the west of Bass Straits, a settlement of this kind has long existed, as I have before mentioned; (by the latest accounts, this settlement contains a population of forty individuals,—men, women, and children;) the men having reached that point by coasting along in boats, and having seized and carried off native women. During the seal season they live upon the coast, feasting on the seal-flesh which their *wives* procure for them; and on the season being over, retire to their village, built in a valley in the interior, and subsist upon the produce of their gardens and what game they can destroy. They lead a most slothful, idle life, obliging their women to perform all the drudgery, but occasionally assisting vessels calling there to load with salt, which is found covering the bed of a lagoon six inches deep; and bartering their seal-skins for rum, tea, sugar, and so forth, with the crews. The senior individual upon the settlement is named Abyssinia, and has lived there fourteen years and upwards. Various islands in Bass Straits are also peopled in like manner; Flinder's Island, according to the latest accounts, containing twenty, including women and children.

A somewhat considerable number of convicts

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escape annually, likewise, by concealing themselves in vessels about to sail from the colony, the masters permitting them usually to walk ashore at the first port, no questions ever being asked of vessels returning home from New South Wales whether convicts have escaped in them or not. Sometimes these people are concealed by the master to be useful to him on his voyage; but occasionally they slip on board, stow themselves away there, and slip on shore in like manner at the end of the voyage, without a single individual ever knowing that they had been in the vessel. A case of this kind once occurred to a friend of mine in a two months' voyage to Batavia, where the runaway was not known to have been on board until seized by the Dutch police after his escape; and I have heard that similar instances have taken place in ships even bound to Great Britain. When the Dromedary returned home from Sydney in 1820 with a load of spars, and was within a few weeks' sail of England, a soldier, on looking down through the main-hatchway gratings one morning, perceived a man whom he had never seen before, pacing backwards and forwards upon the deck below. This man, on seeing himself detected, coolly requested the soldier to hand him down a glass of water! The soldier, astonished and alarmed at the sight of this

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apparition, which he did not know, it should seem, whether to place among the order of men or beings of a more ethereal stamp, ran to the captain of the ship, whom he acquainted with the circumstance. The soldier was at first quizzed and laughed at, but still persevering in his story, a strict search was made, and a woful-looking figure pulled out from among the planks by the heels, muffled in rags, with a sort of pea-soup complexion, and as filthy as the exterior of an unpopular candidate at a Westminster election. On being questioned how he had existed, he snuffled out, "*We* suffered much for want of water for some time at first; but always had plenty of prog." It being observed that he constantly used the word "we" in speaking of his life on board, he was interrogated about the *number* of his *associates*, when perceiving the blunder he had committed, he endeavoured to lull suspicion by explaining that it was the *mode of speaking* usual in the part of England whence he came, and that he knew of no other save himself. Farther search was however made, and a second runaway pulled out, who was sufficiently wroth, as may be conceived, on hearing that his comrade had unwittingly betrayed him. The first man's heedless exposure of himself arose from his *bulling* a rum-cask and drinking off

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the contents, which had made him thus "passing brave," and was the means of his landing in England in a different style to what he would probably have done had he not imbibed such an over-dose of *the juice*.

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CHAPTER X.

Male convicts—Their accommodations, diet, and clothing, on their voyage out—System of management adopted by the author as surgeon-superintendent.

CERTAINLY the most beneficial mode of colonization to the mother country is colonising with convicts, because in this way you make the *unproductive* portion of her population *productive*, by converting those who were formerly her pests into useful auxiliaries to increase her wealth and strength, and good customers for consuming her manufactures. That convict colonies are more expensive at the outset than those composed of free men cannot be doubted; but then this is not the question; it is whether rogues can be as beneficially employed at home; and I think no one in the present state of things will say 'yes:' for every rogue you retain at home to labour, takes the bread out of the mouth of an honest man; as long therefore as England cannot keep her *honest* poor, so long will it be her interest to turn all her *roguish* poor out from her bosom, to thieve or

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work elsewhere. This greater expensiveness, however, is more apparent than real, as the honest labourers thrown out of work by the employment of the rogues must be provided for, besides guardians kept in pay to retain by compulsion these rogues in the paths of honesty when their penal servitude had expired.

It is only in a distant colony, such as New South Wales, that a culprit stands any chance of reform; when once his fair name is blasted, he becomes in England an outcast from honest society, is looked upon with a suspicious eye, and his misdeeds thrown in his teeth on occasion of every petty dispute. Seeing himself thus shunned, suspected, and sneered at, by the honest portion of the community, no wonder he should seek the society of the dishonest, among whom he is always sure of a cordial welcome. He is therefore compelled to continue in his old course till the gallows (if Botany Bay does not) puts a stop to his career. In New South Wales, on the contrary, he has a society of his own among people once equally dishonest, it is true, but whom a concurrence of causes has tended to reform. These have, in fact, acquired property; and being naturally inclined to combine for the protection thereof, they consequently make a point of scouting all who adhere

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to roguish practices. To earn the good-will and friendship of this class, the *quondam* knave must therefore forsake his old habits; as he will otherwise be excluded here from our respectable emancipist society quite as strictly as he would be from respectable society in England.

A penal colony however, to prove fully beneficial to the mother country, must be regulated so as efficiently to *punish* the crime committed, before the *reform* of the criminal is thought of; and in this particular has hitherto consisted the great defect of our New South Wales system; for transportation here could scarcely be called a punishment, and indeed, in half of the cases at least, proved a *reward*. The judicious measures however commenced by our present governor promise a speedy reform in these matters, and will I hope convert the colony from a *paradise* into a *purgatory* for criminals. Punishment and amendment likewise are found, fortunately, to go hand in hand: while therefore you admit the convict at the moment of his arrival to a plentiful and easy sort of life, you not only do a great injustice to the community he has sinned against by encouraging others to follow his example, but do a manifest injury to the criminal himself. He has generally been long accustomed to a life of idleness

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and dissipation; and it is only by teaching him, and *compelling* him, to work, that you can hope he will ultimately reform. When he is kept for a due period at hard labour, he places greater value upon the liberty he may afterwards acquire; but if he steps at once into an easy berth, it is fifty to one but he misbehaves therein, from not having previously had its proper value impressed upon his mind.

It is a rule here, with those who wish to secure a good servant, to keep him for a few months at the hardest labour they can put him to, before taking him into the house; when contrasting his past hardships with his present comforts, he will more readily appreciate the value of the latter: whereas, had he been *at once* received, he would most probably have misbehaved, and his future prospects in the colony been thus in a manner destroyed. Of all those convicts whom I ever recommended or obtained *good* situations for, (and these were not a few,) only *one* has retained his situation up to this period; and even he owes this to being most sharply looked after. It is remarked, too, by the matrons of the Female Factory, that those who are detained longest there at the outset are generally the least likely to be turned back for misconduct; while in like manner

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even individuals who come out *free* to the colony are observed generally to retain situations longer, and ultimately succeed better in business, when they are obliged to struggle against difficulties at the outset. And let me repeat, that the convict who misbehaves *after* transportation has but a *very slight* chance of *ever* retrieving himself as an *honest* subject. He is flogged and sentenced to a penal settlement, to drag out a period of debased servitude among the vilest of the vile; and scouted ever afterwards, even by those of his old associates who may rise to respectability in the colony!

There cannot be a better proof of what Botany Bay *has been*, than that nearly all the English convicts sent thither for many years back have been *volunteers*, delighted beyond measure with the thoughts of getting there; of all that ever went out with me, there were only *two* who went against their will. Governor Darling's measures are now, however, beginning to produce their due effect, as the last ship that completed her cargo at Sheerness could not count above a dozen individuals *delighted* with the trip in the whole batch, the principal portion having been, for the first time these twelve years and more, grumbling *recusants*, terrified at the dismal tidings contained

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in the last despatches from their colonial correspondents.

Before leaving the Hulk, the convicts are thoroughly clothed in new suits, and ironed; and it is curious to observe with what nonchalance some of these fellows will turn the jingling of their chains into music whereto they dance and sing. Two rows of sleeping-berths, one above the other, extend on each side of the between-decks of the convict-ship, each berth being six feet square, and calculated to hold four convicts, every one thus possessing eighteen inches space to sleep in,—and *ample* space too! The hospital is in the fore-part of the ship, with a bulk-head across separating it from the prison, having two doors with locks to keep out intruders;—while a separate prison is built for the boys, to cut off all intercourse between them and the men. Strong wooden stanchions, thickly studded with nails, are fixed round the fore and main hatchways, between decks, in each of which is a door with three padlocks, to let the convicts out and in, and secure them at night. The convicts by these means have no access to the hold through the prison, a ladder being placed in each hatchway for them to go up and down by, which is pulled on deck at night. Scuttle-holes, to open and shut for the admission

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of air, are cut out along the ship's sides;—a large stove and funnel placed between-decks, for warmth and ventilation; swing stoves and charcoal put on board, to carry about into the damp corners;—and in fact every thing that can be thought of provided to secure health and proper comfort to the convicts during their voyage. Each is allowed a pair of shoes, three shirts, two pair of trowsers, and other warm clothing on his embarkation, besides a bed, pillow, and blanket—while Bibles, Testaments, prayer-books, and psalters, are distributed among the messes.

The rations are both good and abundant, three-quarters of a pound of biscuit being the daily allowance of bread, while each day the convict sits down to dinner off either beef, pork, or plum-pudding, having pea-soup four times a week, and a pot of gruel every morning, with sugar or butter in it. Vinegar is issued to the messes weekly; and as soon as the ship has been three weeks at sea, each man is served with one ounce of lime-juice and the same of sugar daily, to guard against scurvy: while two gallons of good Spanish red wine, and one hundred and forty gallons of water, are put on board for issuing to each likewise—three to four gills of wine weekly, and three quarts of water daily, being the general allowance. The sick are

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in like manner provided with all requisite medicines and comforts, as well as with warm dresses, spare bedding, sheets, and every description of hospital furniture.

The common diet of the convicts is certainly *more* than is requisite to keep them in health, as they have no work to do; but it is not more than is *politic* to allow them; because, if you stint them on the voyage, you must keep them under greater restraint, and their healths will suffer in consequence. Two delegates, chosen in rotation from the several messes, daily see the provisions weighed out, and justice done to the whole body in that particular.

On my first appointment to this service, I knew none that could give me advice regarding the best mode of convict management, and consequently was obliged to plan a method of my own, which I have continued to pursue with occasional improvements ever since, and which is about the same, in fact, as that usually followed by all experienced surgeons in this service; for, the same objects being to be attained in every voyage, the same train of thinking naturally occurs, and as naturally produces the same results.

Previous to the convicts embarking, I have the whole prison thoroughly secured and ventilated,

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all the mess-berths and mess articles numbered according to their corresponding messes, and the beds, blankets, and pillows, marked with consecutive numeral figures in black paint, from No. 1 up to the highest number of convicts embarked. The beds are all marked at the same corner, and the pillows being sewed to the head of them, (with a stout cord appended to tie them up by,) the blankets are now placed inside, and all rolled together, with the number of the bed outside (to admit its being referred to), and the whole placed according to their consecutive numbers in the sleeping-berths, ready for distribution.—The convicts are allowed to choose their own messmates; and on the mess-list being arranged upon deck, they are put below and placed according to muster in their respective messes and sleeping-berths; each mess being supplied with its necessary utensils, and each individual furnished with the bed corresponding to his name,—all thus messing and sleeping along the prison-deck in regular numeral progression.

Every article of clothing belonging to each individual is next uniformly marked in a conspicuous manner with a *number* corresponding to the bed he has been supplied with, which prevents the thieving each other's articles, enables every man to know his own from his neighbour's, enables the surgeon

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to distinguish them in litigated cases, and enables also any individual in the ship to single out an ill-doer by simply taking a note of his *number*, without reference either to his name or personal appearance. Before I adopted this plan of numbering the clothing, the lazy incorrigibles would toss their dirty garments overboard, and coolly help themselves to a clean suit from their simpler comrades!

The next consideration is, to cull out a portion of the most fitting among them to make a sort of petty officers of, for seeing orders executed, and keeping the rest in subjection. These individuals are called *captains of the deck*, four officiating in the prison and two upon deck; all the convicts being obliged to obey their orders equally with the surgeon's; while a *captain* is appointed to each mess, who sees his place kept tidy, attends for the rations, and is responsible for the orderly demeanour of the other five members. Two individuals are also employed to fill the cistern, &c. every day; two to take charge of the hospital, and four to attend to the schools.

The captains of the deck have double allowance of wine each day it is served, and a glass of rum during the other days of the week. The rest of the individuals *in office* have only double allowance of wine for their trouble, but all official characters are

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permitted to carry their wine away and drink it, the remainder being obliged to drink theirs at the tub. I also allow each captain of the deck and hospital-man two pounds of tobacco for use on the voyage, served out in portions to them monthly, besides giving them the choice of the clothes, and in fact, every little encouragement possible, to insure the correct performance of their duty. Six or eight pounds expended in this way by the surgeon, out of his own pocket, will be amply repaid him in the greater ease with which he can carry on duty, and the satisfaction he will reap in the good order resulting. The main objects to be looked to, with regard to the management of the convicts, are,—seeing strict justice done them in issuing the rations from the ship's stores; promoting cleanliness, comfort, and hilarity, among them; admitting them freely upon deck to take the air; and striking off their irons as early on the voyage as due caution may warrant.

The upper and lower decks are daily cleaned under the superintendence of the captains of the deck; being scrubbed, swabbed, scraped, or dry holystoned, according to the state of the weather; the whole of the prisoners being constantly kept on deck till the prison is thoroughly dry.

Dancing is encouraged also every afternoon,

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and they may *sing* all day long if they please. As they have but little to amuse themselves with, endeavours must be made to find amusement for them, and this can be no ways better accomplished than by giving them something to work at.

Three separate written codes are pasted upon boards and hung up between-decks, for individual perusal, after being first read over and commented on. One contains the duties of the captains of the deck, captains of messes, delegates for attending the issuing of provisions, &c.; another, regulations regarding divine service, the cleaning of the deck, cutting up and cooking the meat rations, washing-days, musters, schools,&c.; the third being a sort of criminal code, in which every offence that can be committed and the punishment awarded, are plainly expressed.

It is also essential to point out *explicitly* to every man what you expect from him, as he then clearly understands the duties he has to perform, as well as the consequence of his failure therein; and by impressing upon the minds of the culprits, that it is for *their* good as well as for the good of their associates you thus punish them, they in general quietly submit. Gambling is a prevailing vice, and requires great exertion to keep it under; dice, cards, pitch and toss, and various other spe-

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culations, soon becoming general, unless checked; and to such a height of infatuation will this vice be carried, that I have known a country simpleton go three whole days without food, having gambled away all his rations for that period. Until gambling is stopped, thieving will be carried on; because the fellow who loses his own dinner will always insure one out of some other person's mess, unless he is a very sorry thief indeed, which was the *failing* of the three days' Lent-keeper before spoken of. I do not object to their bartering and selling their rations among each other, never seeing any harm accrue from it. Indeed, I could not stop it if I would. They seldom eat promiscuously at a meal, but the mess allowance is divided into six equal parts, and awarded by lot (being as suspicious of each other's honesty in *eating* as in every thing else). The provisions are cooked by two of their own body, who have the fat as a perquisite, which they readily sell in New South Wales for 10*l.*, thus clearing 5*l.* each on the voyage.

The convicts have changes of garment weekly, and are shaved twice a week, one shirt and a pair of trowsers being marked with the letter A above the numeral, and the others with the letter B, the individual wearing A shirt and trowsers one week,

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and B shirt and trowsers the next. They are all mustered in the prison every fine evening, with their shoes and stockings off, and trowsers rolled over their knees, to see that their persons are clean,—as many of them would not wash during the voyage if not compelled. During the warm weather, the half of them bathe every morning; and on Sunday they are all mustered to hear the church-service read on the quarter-deck—the guard being kept under arms during the time.

Thirty-three soldiers compose the guard (under command of a commissioned officer), who do duty in three alternate watches upon the poop or quarter-deck,—a centry with a drawn cutlass guarding the small doors in the barricade carried across the upper deck dividing them from the convicts.

No instance has been known of a convict-ship being captured by the convicts, nor indeed is such a thing possible with any thing like ordinary precaution; as, being so treacherous to each other, abundance of them are always ready enough to inform. The Jane Shore was taken by the soldiers and sailors, conjointly—women convicts only being on board, by whom they were instigated. (The mutineers shot the captain and chief-mate, and carried the ship into Monte Video.) The establishment of an effective police among themselves will always

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check any attempts at combination. The petty officers must be composed of thieves of highest repute for the number and nature of their offences, inasmuch as these are most likely to keep down the others. The veteran thief assumes the same sort of lofty port and high-toned consequence over the juniors of the *profession*, that the veteran warrior of fifty campaigns does over the raw bumpkin of yesterday; and what he cannot force these tyros to do by bullying, he will exact from that sort of willing obedience which the more unsophisticated in every calling are ready to pay to those distinguished therein.

The old thieves are besides actually more *trustworthy* than the young; as, seeing the die is cast with them, and that it is only by adhering to those who have *power* they can hope to improve their condition, they deem it best to adopt at last the hackneyed motto, "Honesty is the best policy:" and while making the best overseers and constables, they also usually make the most trusty servants; for although they may rob you themselves, they take special care that nobody else shall; whereas the young thieves are constantly made the dupes of their elders They have a sort of spurious law among them, the most important article of which is, "Never steal yourself when you can persuade

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another to steal for you;" therefore the young thieves are as generally found to be the *perpetrators*, as the old thieves are to be the *planners* of robbery. It is a good booty alone that will make a cunning old rogue *crook his finger*; whereas the sprightly young bantam will peck at every barley-corn which his senior points out.

A man being estimated in this kind of society according to the amount and adroitness of his villanies, it is no wonder that the yet "mute inglorious" Barringtons of the day should crown themselves occasionally with the bays appertaining to other brows, or boast of robberies committed only in their imagination, in order to elevate themselves to something like a par with more dignified culprits. Almost all their conversation is of the larcenous kind,—consisting of details of their various robberies, and the singular adventures they have passed through; but generally one-half of these are either sheer invention, or dressed up in such a way as to show off in the most flattering point of view before the eyes of their associates. A raw *yokel** was once complained of to me by a messmate of his, for robbing him of a dollar, which a rogue in an adjoining berth saw him purloin, it being stated at the same time that this aspirant

* Countryman.

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had been making his boast among his associates of being such an expert thief, that he would be able to live like a gentleman when he reached Botany, by his dexterity in the *cross-trade*. On taking the boaster to task, he stoutly denied the robbery, protesting he had never committed a crime but the one he was convicted of, and that he was determined never to commit another. When I reminded him of his bravadoes,—"Oh, sir," said he, "we boast of many robberies that we never committed; for if we could not say we had committed as many as these *townies*,* they would look upon us with contempt." The cat-o'-nine-tail scars upon the backs of some of these doughty heroes are often vaunted of with the same sort of pride that an old campaigner will display when pointing to his Waterloo medal; while, being dignified with the titles borne by other "great captains of the age," no wonder they are proud. I had the honour of conducting out Blucher on my first voyage, and Bonaparte on my second,—the one being as expert a burglar as ever handled a *jemmy*,† while the other in the science of pocket-picking might have vied even with Barrington himself.

Many by picking up a little information foist

* Londoners. † Crow-bar.

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themselves upon the others for men of some note; but sooner or later they are found out, stripped of their jackdaw plumage, and singled for the remainder of the voyage as the *butts* of the satirical society around them.

A pretender of this description had during half the passage imposed himself upon his associates for a *true man*, till one who suspected the fellow, stole his bag from under his head one night by way of a test,—when his loud shouts for the sentry *to secure the marauder* raised such a peal of laughter against him, that the shallow rogue soon perceived the trap he had fallen into! In one of the slang journals of the period, which I afterwards perused, the writer, in relating the above circumstance, ended with this significant remark—"We were all deceived in Toby!" nothing, in fact, being a surer sign of want of *true game*, than raising a *squeak* about any theft whatever. Another "false magician," who had long imposed upon the gang, forfeited his reputation by pilfering nearly the whole of the tea belonging to the sick, and *wearing evident signs of guilt* in his countenance next morning.

The fellow that attempts to humbug the rest by pretensions to *honesty* had better hang himself at once. He is esteemed if he can impose thus upon the *officers of the ship*; but to attempt to foist

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himself off upon his comrades is an offence never passed over by them. The best way, in fact, for a fellow of small note in the larcenous line to maintain a sort of respectable footing, is to keep strictly his own counsel, when he may acquire the reputation of being a "deep file" without having the smallest pretensions thereto.

The adventures of some of these men are certainly both extraordinary and amusing; and the tact with which they will humbug the very individuals whom they are plundering, might serve to entertain even the plundered party. It is the rogue's interest, of course, to make the adventure tell well to his own *credit*, and therefore considerable deduction must generally be made for the embellishments wherewith he garnishes his tale. I once listened unobserved to the relation of an adroit and facetiously-managed robbery, which the hero was detailing with great glee; and the admirable manner in which the whole was wound up, called forth such a spontaneous burst of laughter and applause from the throng around, that he rapturously exclaimed, while striking the bench with his firmly-clenched fist, (his whole countenance beaming delightedly,) "By G—, I could steal a shirt off a fellow's back without his knowing it!"

The perfect command of countenance and pro-

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found tact which the higher graduates display when accused of offences, baffle description. They have almost succeeded in persuading me that I was mistaken as to things I have actually seen them doing! Sometimes they will affect the greatest astonishment that they should be accused of, or I believe, *such vile things*, affecting to doubt that the informant had mistaken the person, and earnestly begging that the matter may be *thoroughly investigated*, in order that *the rascal*, whoever he may be, who *really* committed the offence, may be detected and punished. Others will affect the deepest sorrow, even unto tears, that such an accusation should be brought against them;—"which indeed they should not care so much about, were it not for their losing *your good opinion* thereby;" and will caution you to "beware of believing all that is told you, as there are such a set of scoundrels on board, that whenever they observe a man trying to behave respectably, they endeavour forthwith to blast his reputation!" Others will look round with that sort of stare as if they conceived you were addressing *somebody else*, then, take sudden fire the moment the vile accusation is *pointedly* directed to them; while others, again, will pretend at first to treat it as a piece of pleasantry of yours, and afterwards stare, and ask

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you over and over again *what the charge is*, evincing evidently the greatest difficulty in comprehending it. Yet all these *innocent* rogues are in truth the perpetrators of the offences, and laugh and vaunt most immoderately, when sitting among their comrades, how they have *gammoned* you over. Neither are those wanting, who will make certain admissions which either do not affect them much, or which they can satisfactorily explain away; while some, on finding the story is likely to come out, will be the first to run and tell;—but tell it in such a way that their conduct will be shown off more in a thoughtless than in a dishonest point of view; while the perfect openness and candour with which they relate the whole affair quite convince you of the unaffected simplicity of their dispositions. If hard pushed, or if the robbery is likely to be *blown*, they will hide a portion of the plunder in the berths of some individuals of whom you entertain a good opinion, or even in their pockets, so that it may be detected in the search, and the suspicion taken off themselves. Nay, they will sometimes give private information *where* it is hidden, and if the individual upon whom it is found should speak the truth regarding the robbery, to clear himself (in case he is acquainted with it), the whole bevy of those concerned will shout

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out simultaneously in the most indignant manner, "Oh what a rascal! oh what a rascal!—the moment he is found out to try and palm it upon the innocent! Why did you not tell this before, you scoundrel, if you knew it, and not wait till the stolen things were found with you? does such a fellow as you expect to be believed?" As the person they palm the robbery upon is always some simple country fellow, with but little *bounce* or *gammon* in his composition, he gets confused, blushes, stammers, and contradicts himself; and you are often convinced from these signs alone, that he is really the purloiner.

If they suspect any one of *nosing*,* they will conceal some of their own things in his bag, complain of the loss, urge their suspicions, and on a search being made and the things found, lead you to regard the individual as wholly unworthy of credit in future. But the most common method, certainly, of treating a suspected informer, is by visiting him with every sort of petty annoyance,—spitting when passing to windward of him; taking advantage of a roll of the ship to stamp, as if by accident, upon his feet; or tumbling against him, to give him a break-neck fall upon deck: and if

* Informing.

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all these be not deemed sufficient, muffling him at night in a blanket and beating him, when it can be conveniently done without detection. A gang of such desperadoes actually attempted to bite off the nose and ears of one poor fellow in a ship I had charge of, who had merely complained of their annoyances.

The readiest way to check all plunderings and assaults is, having a lamp burning in the prison during night (it being after dark that the mischief commonly ensues), with sentries over it; and obliging all the rest to be in bed, and not to utter a word after ten. On examining into any robbery, you must always investigate it in private, and examine, too, a considerable number of witnesses, without reference to their knowing any thing about it or not; particularly singling out the *worst characters* in the ship, and bringing forward those from whom you *expect* to obtain information *promiscuously* among the batch; as by these means you prevent the hardened rogues from knowing who acquaints you with the circumstances, and guard against these being assailed.

It is a very good plan to select all the influential rogues among the host on board; tell them what sort of character you have had with them; that you *know* no robberies will be committed on board,

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or villanies carried on, without their being the active promoters; and that you *had* determined to keep them in double irons during the voyage, in order to preserve peace:—that you are still, however, disposed to give them a *trial*, but, in case of any outrage, if you cannot detect the delinquent, you will immediately put your previous intention in force respecting *them*. In fact, many surgeons find that by putting all the old *townies* into double irons whenever robberies *begin* to prevail, a cessation soon takes place, and a compromise is thus brought about to the satisfaction of all parties. I pursued this course with the leading Dublin rogues, when I took out Irish convicts, and found it answer extremely well; for if these eminent delinquents are not the actual perpetrators, they always know *who are*, and as the taking off their irons is entirely optional with the surgeon, and is made to depend solely on good conduct, you explain to them that it is no *punishment* to put them on again, as you were not bound to take them off, and that in replacing these you merely put the parties in the same state in which you received them.

I always admit all sorts of frolic to go on among them, so long as there is nothing obviously immoral; for it is better to let a little of the devilry

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spout out of them now and then, than that they should keep nursing it up to burst forth *en masse* at the end of the voyage.

Some of the *literary* characters occasionally write slang journals of proceedings during the passage; and although I never openly sanctioned this, yet I never made any attempts to put the practice down, as I had sometimes the means thereby of hearing, at second hand, of the malpractices going on. "Three *peters cracked* and *frisked*," * made a frequent opening of the *morning's log*, when referring to the *sprees* of the preceding night, until the institution of the lamp threw a light on such transactions: while in one I read this touching observation, penned on gliding past the scene of many of the author's former joyous freaks,—"Passed Margate,—but could not *fancy* myself on board a *hoy!*" Sometimes they act plays, with a screen of blankets for the drop-scene, getting together remnants of stolen *toggery* to deck out their persons with; soot, chalk, red paint, and flake white, being employed to polish off their complexions. A friend of mine (surgeon of a convict-ship), in passing across the stage as the performance was about to commence, happened to inquire the name of it: "Oh, sir, the '*Forty Thieves*,'"

* In England, three chests broken and robbed.

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was the response of the facetious rogue next him. "It is well chosen then," replied my friend, "as you cannot be at a loss for actors."

Sometimes, too, they hold regular Old-Bailey sessions, and try individuals in exquisite mock-heroic style. Another friend of mine, who had the heavy charge of three hundred and seventy-two, happening to be a little short-sighted, glided disrespectfully one day into the *very middle of the court*, with his hat on; and no doubt felt most awkward on finding himself in such offensive trim in the awful presence of the chief justice of England, perched upon a three-legged stool, with a bed under him for a cushion—a patchwork-quilt round him for a robe of office—and a huge swab combed over his dignified head and shoulders in lieu of a wig. Barristers, with blankets round them for gowns, pleaded eloquently the causes they were engaged in, brow-beating and cross-questioning the witnesses according to the best-laid-down rules, and chicanery of law; while the culprit stood quaking in the dock, surrounded by the *traps* of office, awed by the terrific frowns which the indignant judge every now and then cast upon him, when the evidence bore hard upon the case.

Thieves generally affect to consider all the rest of mankind equally criminal with themselves, only

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being either lucky enough not to be found out, or committing actions which (though equally bad in the eye of the Divinity) are not so tangible in that of man. It is their constant endeavour to reduce every one in fact, to the same level with themselves, while fate they believe impels them to do the deeds for which the world condemns them;—to thieve is their *destiny*, and against this how can they contend! Indeed, the conscience-comforting doctrine of predestination derives very considerable force from the fact that no convict-ships have been lost since the first settling of the colony; demonstrating what a safe conveyance such a ship is, seeing that there are too many destined to be *hanged* aboard, for her company to run any risk of being *drowned*.

When I returned to the colony on my third trip, I met an old *friend* in the street who I certainly had conceived would have been one of the first of whom the law would have taken farther cognizance,—when, after observing how glad I was to hear of his behaving and doing so well, I inquired after some of his associates; but he cut short my string of interrogatories by answering for them, in the gross, "Oh, sir, they are all hanged and *transported* but myself, and about twenty more." This, however, proved to be *too high* an *estimation*

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of his friends, but he no doubt considered he was paying himself a great compliment.

Toward the conclusion of my first voyage, I desired one of the scribes on board to make out an alphabetical list of the names, trades, and various particulars of the other convicts; when he came to me in a doubtful mood, scratching his head, and observing, "When I ask what their *trades* are, all the answer I can get from three-fourths of them is, 'A thief, a thief:' shall I put these down as *labourers*, sir?"

It is pleasing, however, to observe how anxious some of them are to conceal the *name* of their family, to prevent its disgrace, from the shame that has fallen upon a member of it;—or the ingenious excuses they sometimes make to their friends, to account for their sudden departure from the country, in order to prevent the giving pain, —never failing to point out, however, how bright their future prospects are. My hospital-man, for instance, writes thus to his mother: "You will be rejoiced to hear that I am in a good situation at last, after all the pain my misconduct has given you, which shall never be the case again. I have been appointed to the lucrative situation of doctor's mate of the Recovery East-Indiaman, now bound on a voyage to that country; and *as it is*

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my intention to settle in one of the distant colonies, you need not expect me in England for many years to come."—The Irish convicts are more happy and contented with their situation on board than the English, although more loth to leave their country, even improved as the situation of the great body of them is by being thus removed, —numbers telling me they had never been half so well off in their lives before. It was most amusing to read the letters they sent to their friends on being fairly settled on board, (all such going through the surgeon's hands,) none ever failing to give a most circumstantial account of what the breakfast, dinner, and supper, consisted of; a minute list of the clothes supplied, and generally laying particular emphasis on the important fact of having a blanket and bed to "my own self *entirely,*" which seemed to be somewhat of a novelty by their many circumlocutions about it. One observed, in speaking of the ship, that "Mr. Reedy's parlour was never half so *clane,*" while the burden of another was, "Many a *Mac* in your town, if he only knew what the situation of a convict was, would not be long in following my example! thank God for the same! I never was better off in my life!" One sanguine individual went out with high hopes of preferment, on ac-

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count of his cousin being "one of the governors of Sydney," and I had some difficulty in persuading him that this said cousin was but a plodding trader there; and as he had been but newly emancipated, his merits could not have raised him to a governorship quite so quickly, unless he had founded a governorship himself, and installed his own person into office, which derived some probability from there being no such *recognised* title as "governor of Sydney" yet in being; still, however, he would shake his head and observe, that if his cousin had *not* been a governor, he would not have written his mother at Cork so, and several times during the voyage he came to "argue the matter;" till, finding I stoutly denied the point, he began to think that the injunction he had received in a letter from his brother to make himself known on arrival, to "————, Esq. one of the governors of Sydney," would be of little avail in procuring him either a secretaryship, or a sinecure at our colonial court. It is indeed most amusing to peruse the extravagant accounts some of these individuals write home of their success, and the consequence they have arrived at in the colony; and no wonder numbers should court transportation, considering the delusions that are propagated by those who have preceded them. A simpleton in

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another ship I had charge of was favoured with a flattering letter of introduction from his sister-in-law to her brother the "governor of the Macquarie," who turned out to be a very respectable constable in the town of Sydney.

The Irish convicts possess an anxiety to oblige, and have a light-hearted civility about them, of which the English are *totally destitute*. If you desire an English convict to do any particular thing, unless you either order him by name, or *touch* him, so as to point out the identical person you mean, seldom a man will stir; while in an Irish convict-ship, on the contrary, if you merely chance to *look* round as if you wanted something, *half-a-dozen* will start up to anticipate your wishes. I have been at times most bitterly provoked by the conduct of some of these saturnine-faced English knaves,—the very man I was looking steadfastly at while desiring him to do some petty thing for me often staring first at me and then at his comrades, with a sort of inquisitive wondering look, as if to make it appear he did not conceive I was addressing *him*. This does not arise so much from stubborn churlishness of mood, as from a general maxim among English thieves to consider every thing in shape of work as a degradation; if they therefore came forward volun-

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tarily to perform what they were not *ordered* to do, or did not attempt to shuffle it off their own shoulders, they would be ridiculed by the ruling wits as fellows of no spirit, and fit only for *honest* society.

Out of 180 Irish convicts, only five proved to be Protestants, which I was not a little pleased to observe, as a convincing proof of the superior morality of the Protestant population,—till an Irish Protestant serjeant of the guard threw a new light on the subject by addressing me upon deck one day with "Dear me, sir, I understand that Black, Johnstone, and M'Gonegal, are *all* Protestants. What a change has taken place in Ireland since I left it! for it went hard against a *jury's conscience* at that time *to find a Protestant* guilty of any thing:" the honest serjeant in fact did not seem at all to *relish* the change.

The only real signs of religion I ever saw among convicts, were amongst a portion of the Catholics on board; for as soon as they had mustered down, both hatchways were crowded round with them counting their beads and fervently crossing themselves and repeating their prayers from the book. There was no ostentation in this, because I often saw them do so when they could have no idea I was near; but indeed a great portion of them were

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poor simple peasantry, transported for very trumpery offences.

The English convicts divide themselves into the two great classes of *townies* and *yokels*; while the Irish divide themselves into three, namely, the "Cork *boys*," the "Dublin *boys*," and the "North *boys*;" and these are so zealous in upholding their respective tribes, that when two individuals of different classes quarrel, there is no possibility of arriving at the truth,—since a dozen of each class will rush forward, and bawl out at once, in favour of their respective comrades, evidence of the most conflicting, contradictory nature. The "North boys" are commonly called *Scotchmen* by the others, and indeed many spoke the Scotch dialect so broadly as almost to puzzle *me* to unravel it.

Having observed in the greater portion of the letters received by the Irish convicts, "Give my respects to *Mr. Hughes*," "I hope *Mr. Hughes* is well," "I hear you have *Mr. Hughes* on board," and similar expressions,—I naturally began to wonder who this said Mr. Hughes could be, whose name was so popular throughout Ireland; and found by reference to the convicts that he was the celebrated captain of all the Ribbon Lodges in that division of the empire, the greater part of which had been of his formation, he having travelled over

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nearly the whole of Ireland (as several of them assured me from their own personal knowledge or that of their acquaintances) on that turbulent mission. This was the individual whose name was brought before parliament on account of his proposal to put all the lodges down again, provided a pardon was granted him; and I should have had some difficulty in crediting that a man in his humble line of life, and withal so illiterate, could have possessed such influence with his countrymen, had not an intelligent individual among his associates (upon whose opinion I could place great reliance) stated to me that a person in his station possessed much more power over the Irish peasantry than one of more elevated rank; because, belonging to their own body, and consequently actuated by similar feelings to theirs, the greater confidence was placed in the propriety of whatever he proposed. A respectable man, (who had been convicted as a member of one of these illegal associations,) formerly a mercantile clerk in Dublin, informed me that the object of the Ribbon Lodges was to uphold the Catholic religion, and act as a counterpoise to the Orange Lodges; but as the latter had been put down, the others would doubtless soon fall into disuse also, which, he said, he ought to have known were improper

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associations, as the *Catholic clergy* had constantly warned them against all such, and he had therefore no reason to find fault with the justice of his sentence.

While passing round the decks one morning to regulate the messes, on inquiring at the second mess whom they preferred to act as *captain* during the voyage, one of them exclaimed in a laughing good-humoured Irish way, "Och, your honour, we have got a captain already—that is *Captain Rock*, as he sits there, and a very good captain he is!" and in fact it was no other than the said celebrated captain* whose name had made so much noise throughout Ireland, how deservedly I know not, as he declared himself entirely innocent of all the pranks laid to his charge except that of assisting in the abduction of Miss Goold,—the name of Captain Rock having been conferred upon him, as he said, in a joke, by some of his associates in jail. I gave credit to his story; for a quieter, better-behaved man could not exist than Walter Fitzmaurice, (for such was the captain's proper designation,) first cousin to "one of the governors of Sydney."

* The appellation of Captain Rock has been given to various individuals in Ireland, both high and low. It is in itself an *idea*—a *principle*—*nomen* et præterea nihil.

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CHAPTER XI.

The subject continued.—General conduct and opinions of the prisoners—Curious particular instances.

HAVING read much of the great reforms wrought among the convicts in the hulks, and in New South Wales, by infusing a sense of religion into their minds, I set about exhorting them, on my appointment to my first ship, to amend their lives, seeing they were bound to a place where former misconduct would be no longer thought of, if they pursued a different course; and stating that I should take great pleasure in reporting the behaviour of those to the government, who had changed for the better, and made a good use of the religious books placed in their hands. It was not long before my advice was, in all appearance, strictly attended to,—a very considerable number becoming grave and devout, whom I had before noticed as among the worst in the ship, while Scripture readers and readers of religious tracts multiplied around me on all hands, and I soon saw a party

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formed for the reading and expounding of the Scriptures, and closing the conference with prayer and singing of hymns and psalms. An old *fence* (receiver of stolen goods) was at the head of this devout party, who had served a *seven years' term* in the hulks, and who I was pleased to observe thus setting a good example to his juniors, although I could not but think at the time that the congregation might have pitched upon some fitter place for their devotions than the berth contiguous to the hospital, where I had in a manner to rub shoulders against them on every sick visit I made Still, however, I deemed that their fixing upon this conspicuous place, as well as their invariably meeting at the morning and evening hours when I visited the sick, might arise from their anxiety to *demonstrate* that my advice had not been thrown away.

This meeting had continued about a fortnight, when a complaint was made by one of the leaders that a "knot of blackguards" (as he termed them) had been lately in the habit of whistling, coughing, and pelting them with biscuit, whenever they began their religious exercises; so I forthwith sent for the "chief captain of the deck" to point out those guilty of such conduct, and to know why he had not put a stop to it before. This was a shrewd

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clever Yorkshireman, who knew especially well the ways of those over whom he was now presiding; and, on hearing the complaint, he answered with a knowing smile, "It is out of no disrespect to *you*, sir, that the praying party has been pelted and laughed at, but because they want to humbug *the others below* as well as yourself. They care not a straw about religion, but expect you to do something for them when they land: now, if you will just walk into the hospital *by the other door*, you will see how quickly they will drop away,—for indeed some are tired of it already!"

I was certainly mortified at what I heard, but resolved to take his advice; and true enough, the party did drop off one by one, till none remained but the old *fence*, who continued Bible-reading to the end of the voyage, drawling out the words of Scripture with deep sectarian drone, and casting at me ever and anon as I passed, that sort of significant glance which seemed to whisper, "Don't you see how religious I am?"

After this circumstance there was a gradual falling off among *all* the devotionally inclined, till the whole became reduced to some seven or eight, and in few of these did I place much faith. There were, for instance, two very pious persons from the west of England, where, as I had ascertained, they,

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under the pretence of prayer-meetings, had held confederacies for planning robberies. Another, one Thomas Jenkins, had formerly joined to his avowed profession of travelling Methodist preacher, the more gainful one of sheep-stealing!—but still there remained William Jones and John George, against whom the breath of suspicion had not as yet been levelled; for being the only two individuals from a Welsh jail, nobody of course knew any thing about their history. Jones was in fact quite enthusiastic in Scripture-reading, and I never passed his berth without observing him earnestly toiling away with a pair of huge spectacles arched over his nose, or else the Bible lying close to his hip, ready to be snatched up on the instant. Indeed so earnest was he in his religious exercises, that he could not even attend muster, on Sunday, without the Bible in his hand, and his fore-finger stuck between the leaves, to mark the passage he had been reading. Just previous however to this godly person's dismissal from the hospital (where he had been placed on account of a fit of illness), my assistant lost a sum of money; and it ultimately came out, on the evidence of Jones's brother-saint, John George, that the former was the culprit. Honest John, indeed, had a "finger in the pie," but was induced to *'peach* on account of Jones

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(whom he denounced as being in reality the greatest ruffian in all Wales) having attempted to bilk him out of his due share.

It is, in sober sadness, time fruitlessly expended, to attempt the reformation of these people when crowded thus "knave upon knave:" those who may be seriously inclined are jeered out of it by the rest, and the *reformation* you bring about is a mere bam meant to be turned to gainful account by making a dupe of you. All you ought to attempt, under such circumstances, is to bring about regularity and decency of conduct. If you aim at more, you only make *hypocrites*, which is ten times worse than permitting them to remain (as you found them) open downright knaves.

The visiting of prisons by religious individuals confers a great good upon the inmates by softening their manners and correcting their outward rough behaviour, showing them that there are still persons in honest society who can sympathise with them, and who do not (like the community at large) view them merely as wild beasts, whom it is the duty of mankind to hunt down and destroy; but it is vain to inculcate *religion* among criminals in a crowded state, where any rising good feeling is quickly dissipated by the ridicule of the others.—All I ever attempt *now* is to impress

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upon them the necessity of altering their conduct *if they wish to benefit themselves hereafter*, seeing they are bound to a country where roguery is attended with immense risk, and but a pitiful profit. It is only time and resistance of temptation that will confirm the *reality* of their reform; for *professions* they readily make with an apparent sincerity that would delude the most sceptical; and a degree of sanctity they can assume which even Ambrose de Lamela could not rival.

It is of the regularly educated thieves I here speak;—they are *Vicars of Bray* to every man whom it is their interest to humour,—blaspheming with the blasphemer and praying with the saint, yet picking the pockets of either indiscriminately when they can do so without risking any worldly evil consequences. A friend who sailed in charge of convicts some years back told me that having been driven into a port in the channel through stress of weather, a clergyman came on board to endeavour to give the *flock* some ghostly benefit; but found on stepping into the prison that his exertions were not requisite, for never did a more zealous congregation present itself than now appeared before him, every man with the Scriptures in his hand and saintly accents on his tongue. Wondering how so many "worthy men" could be huddled to-

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gether in such a degraded condition, the parson commenced inquiries as to what had brought them into their present state, and found that they were all *much-injured individuals* who had been put on board absolutely for *nothing at all*, through the perjury of witnesses, or the private pique of the juries who convicted them. A few moments' reflection, however, brought him to believe that our juries could not be *quite* so vicious; and beginning to fear he had a set of deep knaves to deal with, he forthwith buttoned his pockets, tucked his seals up, and commenced his exhortations. In fact, both parties were deceived; for if the parson was imposed on for awhile by their outward professions, the convicts were misled by a malicious report that he had brought a boatful of *good things* for distribution (which turned out to be Bibles); and no sooner did they find themselves hoaxed than they relapsed into their former state of reprobation.

On my first voyage I could find only one rogue at first out of a supposed batch of a hundred and eighty-eight, and that was one for the venial crime of carrying off a fowling-piece in a *drunken frolic*; but bye and bye they began to open upon each other; and I discovered, before the end of the voyage, that no juries had ever made fewer mistakes!

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Designations of individual character have among them a very different meaning to what is attached thereto in honest society. A *good fellow* is one who divides fairly with his companion whatever he thieves in partnership, and who never confesses a theft or gives evidence against an associate. A *clever fellow* is a bang-up, bold, thorough-going knave, an able "actor of all work;" while a *great scoundrel* is one who will be *base* enough to acknowledge his crime, or inform upon his partner. While passing through the prison-door one evening, after all were in bed, I overheard a violent altercation between two of the inmates, arising from one having insulted the other by jeeringly accusing him of *ignorance* in his profession, on which the other indignantly retorted, "You trembling, cowardly scoundrel, it is not much that I do know; but whatever I have done, thank God, no man can say but I have done it *well;* which is more than you can boast of, you blackguard!—But *you* to insult me! you, that is as great a villain as walks the earth unhung—(hereupon, I listened *with all my might!*)—a blood-thirsty, black-hearted villain, that thinks no more of a man's life than a dog's!" Fully expecting some revelation of murder, I continued all attention: but lo! the whole of these sounding

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epithets were produced by a suspicion of the other's having given information about the robbery for which both were transported!

Of all those I ever heard of, who have manifested the "ruling passion strong in death," George Breadman proved one of the staunchest. He was a poor *yokel*, foisted upon me in the *last stage of consumption*, and who remained bedridden until our arrival in the colony. He fell away so fast that I never expected to land him alive, and certainly it required the most anxious attention to retain the glimmering spark. I fortunately, however, possessed a very facetious fellow among the batch, to whom this poor dying creature became strongly attached, never being a day happy whereon his friend neglected to visit him, and often begging me to send this man to him for company, which I gladly did, seeing it invariably put him in good spirits. Wondering what could be the cause of this extraordinary liking, I inquired, and found that Breadman had been a great pig-stealer in his day, which being considered a very *vulgar* calling among the professional classes, (particularly among the *townies*,) he could get no one to listen to his adventures except this joker, who would laugh with and quiz him on the particular subjects of his achievements;

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praise the wonderful expertness with which he had *done* the farmers out of their grunters, and propose a partnership concern on reaching the colony, if the pigs there were found to be worth stealing! —I really believe the poor creature was kept in existence a full month solely by the exhilarating conversation of his companion.

On anchoring at Sydney no time was lost in conveying Breadman ashore, he being so weak that he could not even sit up without fainting: yet, in this pitiable state, supporting himself round the hospital-man's neck while the latter was drawing on his trowsers for him, the expiring wretch mustered strength enough to stretch out his pale trembling hand toward the other's waistcoat-pocket, and pick it of a pocket-comb and penknife! Next morning *he was a corpse*, thus dying as he had lived. Yet, during his whole illness, this man would regularly request some of the *sober-minded rogues* to *read the Scriptures* to him, and *pray by his bed-side!* Indeed, ill practices become ultimately so *habitual* with many, as to be no longer deemed such; and hence, no wonder we so often see *religion* and *knavery* intimately blended.

The convicts are very easily managed when once a regular system is introduced among them;—

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the punishments awarded only requiring to be *certain* rather than *severe*. Solitary confinement on bread and water is the simplest, and certainly by far the most effectual punishment—since the whole aim of regularly graduated thieves is, to be able to lead a riotous life of eating, drinking, and profligate sociality with each other. The appeals of an empty stomach are extremely powerful, and more likely than any exhortation to bring about "compunctious visitings:"—particularly when no sympathising friend is at hand to counsel the suffering culprit, to bear his *trouble* like a *man!* A flogging may serve effectually to check the poor cowardly, pitiful thief; but it only hardens the bold and courageous, while it essentially debases the feelings of *both*;—but bread and water suit all manner of thievish temperaments; and while it more effectually punishes, neither brutifies nor degrades.

To punish lightly, but *certainly*, is therefore a useful maxim, increasing the quota with increasing delinquency. Crimes are seldom of sufficient magnitude on board ship to call for *severe* punishment; while by *passing over* one offence, you probably sow the seeds of "many more."—By showing them that you have their interest and comfort at heart; that justice is your aim; and that, while

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you are ready to give all due encouragement to the well-behaved, you are no less determined to exercise your authority upon evil-doers, the most turbulent are soon led to appreciate the value of order and obedience. They are always cowardly, from being sensible they are in a bad cause, and no less insolent and overbearing if they think you are *afraid* of them. A man, to enforce his authority, must go among them and beard them without timidity; otherwise they will begin forthwith to howl and rattle their chains.—The really troublesome among them seldom exceed one in ten; and by keeping your foot upon the necks of these, all the rest will follow like lambs. The cockneys are, of course, beyond all dispute the worst, and a leaven of a dozen of these is enough to infect a thousand of the country *yokels*, with whom peace is generally the order of the day. Such a number of these *townies* will keep a hundred of the others in subjection, from the manner in which they cling together, and from their overwhelmning *oratorical* abilities.—The less gifted *yokels* have not a chance with them, if the strong hand of power is not stretched out for their protection. A ship which took in her *yokel* cargo in the river, sailed round to Portsmouth to fill up with a *dunnage** of thirty

* A sea-phrase, signifying a kind of make-weight.

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townies, when the whole boast of the simple *yokels*, while proceeding round, was, how they would "*serve out*" the *townies* on the voyage: but before they were a week together, the handful of *Spartans* left the others scarcely a pair of decent trowsers wherewith to clothe their nakedness.

Most desperate combats sometimes take place between the two parties in badly regulated ships, and murder has often nearly ensued; for when the bristles of the *yokels* are fairly up, they level the cockneys as if they were playing at ninepins; *bullying* being the chief qualification of the latter. A pair of brats, with whom a stout fellow might have played at *te-totum*, and who had flourished at the West-end fair rows, gave me more trouble than all the other hundred and fifty on board, from their entering readily into any mischief to which their more cunning elders put them up. One of these was endued with the natural gift of "coming the piteous" (to use their own slang) in an unrivalled manner. When accused of an offence, (and such instances were far from infrequent,) he would declare his innocence with the most pathetic vehemence;—his face expressive of poignant agony, and the tears streaming down it like a shower from a watering-cart; while, if failing to convince me, he would drop upon his knees, clasp and wring his

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hands, and implore my forgiveness in a strain which even a heart of ice could not withstand, and which succeeded more than once to thaw mine;—till turning suddenly round one day after forgiving him I caught a glimpse of my late penitent kicking up his heels, winking, and thrusting his tongue in his cheek, to record his "wictory."

The young thieves are indeed generally the most troublesome, and on this account a good purpose is answered by separating the boys from the men. The *saplings* from Carter's Barracks, Sydney, are three times greater nuisances than the "full growths" in the Penitentiary there; and it will be seen in the Newgate trials, that the greater portion of those brought before a jury are *under twenty*. An old thief lives more by his *wits* than his *hands*, making the hands of the juniors serve his turn; and the flattery and powers of persuasion of these *Nestors* are such as few young heads can withstand.

The life of a thief is indeed *calculated*, like the success of a new play, and such a one is said to have a *good* or a *bad run*, according to the length of time he has been able to evade the penalties of transportation or the gallows. You will often hear old acquaintances when they meet during fresh debarkments from England, on in-

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quiring how Bill or Tom such-a-one fares, and hearing he is still "a-going at it," exclaim, in surprise, "What a lucky dog! what a *good run* he has had!"

Transportation was formerly no punishment to those who had friends here, or money to procure them; such individuals being soon applied for by their gratuitous or purchased acquaintances, who, though nominally their *masters*, left them in a manner at liberty to do as they liked. Several who went out with me were so metamorphosed in a few days after they landed, that in their white top-boots and dandy vestments, I had some difficulty in recognising my old *shipmates*. While walking in the vicinity of Sydney in 1822, I encountered a genteel-dressed man leading a pretty child in one hand and swinging about a handsome cane in the other, with a bunch of massy seals dangling at his fob, who stared hard at me as I did at him,—each having some recollection of the other: till at last I remembered his *working his passage home* as a sailor only *the year previous* in the ship wherein I had returned to England, with the view, as he had told me, of "lifting a legacy." He had in fact "lifted the legacy;" been tried, convicted, and transported for it; and arrived thus in the colony again, nearly as soon as I, (although

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only twenty months away,) with some sixty golden guineas in his pocket, to boast of as the reward of his short trip.

It is astonishing how correct the information of outward-bound convicts often is about the colony. A country lad once applied to me with a most piteous tale of his having been robbed of five guineas: "Why did you not give it to me," said I, "as others have done, that I might have taken care of it?" "Why, sir," said he, "I understood that if it was known I had money when I arrived in the colony, it would be taken from me and put into the savings' bank there, which would prevent me from bribing some person to apply for me and give me my liberty, or from bribing a sailor to stow me away in a ship if I wished to make my escape, which I hear are things commonly done in New South Wales."

I cannot see the propriety of permitting the most notorious thieves to *retain the property* they have come dishonestly by, in defiance of the rights of those they have robbed. They have only to steal coin, or something else that the owner cannot *swear to*, or turn the stolen articles into money, to outwit the owner and the crown too. Why could not the fellow I before alluded to have had his sixty-guinea hoard taken from him, and the pen-

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son he robbed compensated with it as far as it would go? Even the notorious Herring, who robbed the Stirling bank, carried out gold and jewels to the amount of nearly 1000*l.* to revel upon in his captivity, where coach-robberies could only be enjoyed in imagination.

A woman who went out with me that had robbed a sweep's wife of forty sovereigns, whilst they were tippling together, would bring one of them every now and then to be changed, which I did, though *knowing* them to be stolen property, and consequently doubtful whether I might not be indicted as a *receiver!*

Some also who had friends doing well in New South Wales would in olden times procure themselves to be transported by way of having a free passage, in order to join them. Several went out with me on these very terms; and among them, one merry youth of two-and-twenty, whose father had been transported while he was a child in arms, and a brother at a later period. This brother had followed the fortunes of the father by special invitation, to assist him in the cultivation of his farm; and the youngster I speak of was therefore the second son induced to entitle himself to a seven years' trip to Botany. On our arrival the elder brother came alongside, and *introduced* the

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younger brother and the father (who were of course utter strangers) to each other? "*When may we expect Jem?*" was the question put shortly after the preliminary *congratulations:* Jem being a cousin who had long promised the colony a speedy *visit,* as I learnt from the younger brother.

The male convicts are landed at day break under a guard of constables, and marched into Sydney jail-yard, where, after having all their clothes daubed over with P. B's and broad arrows, in black and red paint, they are despatched to the Prisoners' barrack, to remain there until distributed by the land board according to the rules lately drawn up and printed.

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CHAPTER XII.

Female convicts on their voyage out—Their general behaviour, and the system of control exercised over them —Thoughts relative to their future disposal and reform.

THE ship is fitted up in the same way for the women as the men, excepting the addition of tables and shelves upon which to iron their clothes and stow away their tea-ware. No guard of soldiers is required here, and consequently there is no bulk-head across the upper deck in midships. Their rations are the same as those enjoyed by the men, with the addition of tea and sugar, for the service of which there is a kettle supplied to each mess, and a tin-pot to each female, tea being usually made night and morning. Their oatmeal I allowed them to draw as they required it; always keeping a store in the hospital for the supply of such as wished to have *gruel* for supper, under which name the mess of oatmeal slided down their throats like custard, while at *the same mess* formerly cooked for them under the vulgar sea-epithet

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of *burgou*, the whole of them turned up in aversion their genteel noses—so much for the "magic of a name!"

More accommodation is allowed for the women than for the men, the usual number of convict-women proceeding out in one vessel seldom exceeding ninety; a separate apartment being usually fitted up in each ship too for the accommodation of the free women (with their children) going out to join their husbands who are convicts in the colony; a certain number annually being forwarded this way by the government to those husbands who behave well and can support them.

A similar mode of management must be adopted with the women as with the men, appointing a certain number of respectable old matrons of *Magdalen Asylums* and venerable *pavè* peripatetics to superintend their *manners* and *morals* during the voyage, and to see the prison kept in tidy trim; none except influentials of this description being capable of managing the unruly throng.

The women are more quarrelsome and more difficult to control than the men, their tempers being more excitable, and a good deal being calculated on by them in respect to the usual leniency shown their sex. They are certainly more abandoned in their expressions, too, when

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excited; but this probably arises not so much from greater profligacy of disposition, as from their having less controul over their passions and their tongues. Formerly they lived promiscuously with the seamen on the passage out, and the voyage was certainly then brought to a close much more harmoniously than now, and (strange as it may seem) with greater benefit to the reformation of these females, for the period at least, when the rules of *decency* were not outraged in the intercourse.—All reformations, to be lasting, must be gradual; for whatever is suddenly done, is liable to be as suddenly undone; and by bridling in their long-indulged inclinations by sheer brute force, you produce no moral regeneration, but rather engender an accumulation of vice which will break out with overwhelming impetus when restraint is taken off. By being suffered to live in concubinage with the sailors during the voyage, they became initiated in the moral principle of *personal attachment*, unknown to them before. The great evil of such an arrangement was, that the sailors often married them at the end of the voyage; when Jack, as soon as tired of the "happy state," would take to ship again, and leave his spouse to the exercise of her own free-will and meditations; while the number of females transported being so few,

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in comparison to the men, the former ought certainly to be made *preserves* of, to furnish wives for the latter. The truly pitiable surgeon who has hitherto endeavoured strictly to enforce the orders of the navy board on this head during the voyage, has certainly most justly entitled himself to the full honour of Catholic canonization on his landing. And as regards the crew themselves, really poor Jack is planted in a perfect garden of temptation, when among probably a hundred of such fair seducers, and is more an object of pity than wrath. To see twenty wicked fingers beckoning to him, and twenty wicked eyes winking at him, at one and the same time, no wonder his *virtue* should sometimes experience a fall.

A very ingenious plan, however, (persevered in from the commencement of the interdictory system until reported to the navy board), afforded free scope to these amorous flirtations. The swains first gained over the Arguses in charge of the hospital; forced up the piece of board nailed over the coal-hatch, which being under a bed-place was completely hidden from view; then, entering the prison, "puffed out the rushlight," and continued their tête-à-tête with the "fair penitents," until the inquisitive eye of day began to blink in upon them.

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When you do, indeed, detect Jack in a slip, who can gravely lecture him thereupon, should he make such a defence as was once made to the captain in my presence, on an accusation of creeping through the coal-hatch:—"Me, sir!" exclaimed the tar with an expression of surprise, "No, sir, I hopes I know how to behave myself better, sir, than that ere; if I was going about a thing of that kind, I would go about it with *economy*, sir;"—a defence, the *meaning* of which could not be readily guessed at.

In speaking relative to each other, the women always make use of the term *ladies*, which they do more in sober earnest than jest; and whenever the "frail body" is summoned to attend for their rations, it is, "*Ladies*, come up for your biscuits; *Ladies*, come up for your pork; *Ladies*, the puddings are ready," and so forth; yet, while affecting all this gentility as a body, when *particularising* each other it is plain Poll, Kate, or Sal; *Miss* being very seldom made use of, though *Mrs.* usually distinguishes the married and the elderly.

Innocent amusements of all kinds I encouraged among them. They danced several times weekly in the evenings throughout the voyage; kept up singing for an hour or two every night before retiring to bed; and had occasionally regular *con-*

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certs and masquerades, at which latter, dressed out in their gayest plumage, or disguised in fantastic habiliments, they would prolong the frolic till bed-time. Some of the passengers in the cabin would now and then go down into the prison to listen to the singers, several of whom possessed sweet and plaintive voices, while the fantastic airs and quavers of others were superlatively ridiculous. A dame of about fifty, with hair formerly nut-brown, but which time had turned into a pepper-and-salt colour, (when decked out with a silk *bandeau* upon her head, a row of "youthful curls" encircling her forehead, and a knot of artificial flowers stuck, in dandy fashion, above her ear,) would warble forth "the false *lovier* that stole my heart *away*," in a manner most languishingly amusing. This "ancient of days" had been driven by necessity to the state of life she had led; for a more honest creature could not exist when want was kept from her door, while every word she spoke possessed the veracity of gospel. As she affected very high airs, her sentimentality verged toward the romantic, and she lectured and remonstrated with the others in truly ludicrous style.

I had a sibyl also on board bordering upon seventy, who had been, as she declared, forty years of that

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period in houses of correction and prisons. The man with whom she had lived, and whose name she bore, was the last hung in chains on Pennenden Heath (I think) for highway robbery. She was a most trustworthy creature, and abominated a lie so thoroughly, that all the others were afraid to commit any misdeed in her presence, knowing old Nanny would disclose instantly "the whole truth, and nothing but the truth," if called on. She was so well known at last, she said, among the magistrates, as to be often trusted with the *warrant for her own committal*, without even an officer to accompany her to prison, where she declared she had spent the happiest days of her life! She kept to a certain beat in London, sometimes *cadging* (begging), sometimes travelling about as a *timber-merchant* (match-selling), and meantime picking up what she could in the *cross* trade (thieving); falling into "good practice" in this way, by accosting gentlemen for charity whom she saw *chirping* in the streets to the Paphians, and on their turning about and telling her to be off, fingering adroitly their watch, pocket-book, or whatever else came handiest to her; then gliding slowly away grumbling all the while at their not relieving "the poor old creature." From her shrivelled beldame look she was accounted a sort of witch by the nymphs

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of the *pavè*, and none at first would take her into their mess, from the opinion they entertained that whatever evil wish she expressed was certain to come to pass. When any of them strolled out formerly in an evening on professional pursuits, and encountered old Nanny at the outset, they knew, if they could not comply with her charitable demand, they might as well turn home again, as they would have no luck for that night! She had many whimsical and facetious anecdotes relative to her exploits, but the adventure she took most pride to relate, was the *doing* of an hospital physician. Being ill with a cough and wheezing, she proceeded with a letter of admission to the hospital, when the examining physician, after having looked at her tongue and felt her pulse, was called momentarily away, leaving the gold watch he had been counting the pulse with upon the table. The sight of such a gem ticking at a tempting distance before her, made Nanny's very finger-ends tingle, and operated upon her wheezing like a dose of the "Gilead,"—so, hastily snatching it up, she glided with light and nimble foot out at the door, and had *a thimble of ruin* on credit of her prize in ten minutes after the "trump had turned up."

To the general credit of my female charge be it spoken, I believe there was but one barefaced

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pretender to *honesty* in the whole batch, and this was a tippling old "lady of the bed-chamber," known long as a *connoisseur* in old plate, who had been convicted of pawning a couple of silver spoons and forks, which some "plaguey particular" individual proved a "good title" to, and which she was constantly impressing most anxiously upon me, (while fortifying her plea of "Not guilty" by many little feeling appeals and moral reflections,) had come by a sort of *mere accident* into her possession, and were pawned by her solely with a view to their *greater security* until she had an *opportunity* of returning them to the family out of whose house they had illegally smuggled themselves in a bundle of dirty linen which she was carrying to the wash. Neither did any except this solitary immaculate make earnest appeals to the Divinity as to the *innocence* of offences on board with which they were *justly* accused, or to attest the *truth* of *falsehoods* they were endeavouring to lull me over with; while there was not a single Scripture-quoter, such as we find so liberally abounding in men-ships, although doubtless the worthy old moralist before spoken of would have freed the ship from this stigma *had she been able to read.* There were, it is true, several religiously disposed individuals

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among them "*past their grand climacteric*" who conned over their Bibles very sedulously during the voyage, but who doted too lovingly upon the "ruin" to allow any moral maxims they might have imbibed profiting them much after landing. One of these, now servant to a friend of mine in Sydney, (and a most excellent servant in other respects,) has never been an hour from home yet, without being "overcome by the spirit," and requiring to be trundled to her domicile on a hand-barrow, or shouldered like a sack of potatoes. Indeed, I have observed, that the very best servants, and all the *moralising* and *philosophising* classes among them, are drunkards. The Bibles with which each female was supplied were taken good care of; but as they knew these would be all mustered at the end of the voyage, this consciousness might have had some effect, for the greater portion of the *religious tracts* which were promiscuously distributed quickly disappeared; and in what way, was satisfactorily demonstrated by my picking up a shred of one of them one sunny morning in November, when a *coterie* of these nymphs were *unpapering their curls.*

My best thanks are certainly due to my female *flock*, for saving me the folly of reading to them every Sunday (as requested of me by a worthy individual,

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who has been long endeavouring to improve the wretched inmates of our prisons) a close-written foolscap sheet of excellent moral and religious advice, addressed to them by Margaret Stewart, a miraculously converted Paphian, who had "got into trouble" by imposing herself as Lady Erskine's waiting-maid upon a credulous dress-maker, into whose esteem she had at once insinuated herself, by ordering full suits of mourning for her ladyship and all her retinue. This essence of gentility, as my informants stated, finding on her arrival in Newgate what a *good thing* the leading of a *good life* was, soon outstripped all competitors in austerity of morals and religious fervour, when the individuals it was her aim to delude were present, or when she was pretty sure they would *hear* of it; while before her confidants no one could more merrily frisk about or more fully enjoy the fun of the profitable hoax she was carrying on. She was even so anxious to acquire the esteem of those who compassionated her case, as to be at the pains of having a letter written in London addressed to herself (as if from some sympathising relation in her native Scotland) forwarded to a friend in Edinburgh, and transmitted back to Newgate, bewailing "dear Margaret's unfortunate condition, which, as a *lineal descendant of the kings of Scot-*

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land, was a degradation her forefathers could never have anticipated." Now, all letters to prisoners being examined at Newgate, a prodigious effect was produced, as Margaret well knew it would be, by this claim set up on her part to participation of royal blood.

Being busily occupied on the two first Sundays after it was put into my hands, I did not read the moral lecture of the pious Margaret, as requested; some of my flock, however, seemed disinclined that I should overlook it, inquiring every now and then with a significant smile, "When are you going to read Margaret Stewart's *letter*, sir?"—I confess myself so dull, that their smirking queries never generated suspicion in my mind, and I should probably have remained in ignorance both of Margaret's hypocrisy and royal descent, had not one of the number most charitably unfolded to me the genuine history of the *religieuse*.

The intelligent matron of the female factory at Paramatta informed me that there was a "Margaret" also in the female convict-ship she took passage in, who had attained to such religious and moral *perfectibility*, that the surgeon at times intrusted to her the reading of the church service, when my informant hearing "peals of laughter" instead of "notes of praise" bursting every now

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and then from the deck below, leant her ear, on one of these occasions, over the hatchway, and found the source of all the fun to be in the humorous manner in which the canonical delegate was burlesquing the service. This pattern-convict is now in the service of a dissenting clergyman in the colony, into whose good graces she has so effectually prayed herself, that she is looked upon by the simple family as a perfect phœnix in moral excellence, her voice being always loudest at the hymn, and quoting Scripture with a facility which would put many a dignitary of the church to the blush ;—but as, according to my informant, she had been made "keeper of the *keys*" upon late occasions during the family's absence, the harvest of her reformation would ere long be reaped by her *believing* friends in a manner which might furnish a subject for a *condemned sermon*.

The observations relative to the reform of the men, when congregated in large bodies, apply equally to the women. Indeed, the specimen of *reform* which the Penitentiary at Milbank has shown forth must now, I think, have fully dispelled the delusion of this mode of attaining it. The volleys of curses that assailed the ears, and showers of mouldy crusts and well-picked bones that rattled about the heads, of a noble patron of that esta-

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blishment and the coterie of lady companions he had beguiled to hear a sermon there, (in order to demonstrate the triumphant progress morality had made among the female inmates,) must have satisfied the lady visitors, on recovering from their hysterics and fainting fits, how unprofitably the public money had been expended in the building. Four of these very damsels went out with me after being dismissed as *reformed* from the Penitentiary, who, as might be expected, had returned again to their old habits, and secured a mittimus to the colony.

Batches of old bagnio *prima donnas* and magnetic-fingered friends will come on board before leaving England, dressed gaily out, representing themselves as the desponding or sympathising acquaintances of some of the unfortunates, (whom they furnish with *most excellent* characters previous to their "having got into trouble;") and as the *really* respectable relations of others endeavour to bespeak your favour likewise, it is difficult to distinguish. Those however whom you see come *familiarly* and *pleasantly* up to their relations, you may mark down as "no better than they should be," while to those whom you never detect with a smile upon their faces, but who remain with sad and tearful countenances all the time they are on

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board, you may generally attach some credit. I was however most scientifically duped at Sydney by one of these *weepers*. On coming out of my cabin the morning after arrival, my eye was suddenly arrested by an affecting scene on the quarter-deck, the dramatis personæ of which were a respectable-looking old lady and a young *unfortunate*, who sat moping together upon a carronade-slide, their arms round each other's necks, and sobbing and showering down their tears most abundantly. I walked forward and inquired in a soothing tone of the venerable dame if she was the girl's mother? "No, sir: no, sir!" sobbed out this paragon of sensibility, "but I am the *same* as a mother, sir, for I brought her up from the time she was an infant, and I love her as if she was the dearest child I have, sir!"—"Do not, my good woman," said I, "take it *so much* to heart; think rather how happy it is that you are here, and able, I hope, to do something for her."—"Oh that I will, sir, that I will!" sobbed she: "I intend applying for her and taking her home to my own house, sir, and, thank God, I have it in my power to do something for my *dear Mary*, for she was always a *good girl!*" I now addressed myself to her protegée, charging her to conduct herself as became her toward one who had such an evident

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regard for her, and took so much interest in her welfare, which she promised to do. Now, Mary had a sister on board, transported for the same robbery; and while the old lady adopted her favourite, the sister was assigned to another "worthy Christian friend." About a fortnight after, I was informed by a clergyman of Sydney, that this same tender-hearted old dame had revived her acquaintance with the girls for purposes of an infamous description, which being speedily discovered, Mary was separated from her; while the sister, whose master had proposed the enjoyment of her intimacy, quitted his service in affected horror—on finding her intended inamorato both *old* and *ugly*.

If mewing the women up in Penitentiaries seldom produces any other than mere outward show, too great severity observed at the outset here is rather prejudicial than otherwise. Those who have been most strictly kept under during the voyages to New South Wales have invariably turned out the worst, for a time at least. The wild buoyancy of their dispositions being bridled by the severe restraints imposed upon them, they were like wanton colts loosened from the stall when they landed, and in the fulness of their delight on being at last freed from the galling yoke, broke out into all manner of extravagancies.

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The women, after being mustered on board, are sent up by water to the Paramatta factory, and assigned to service by the council, every encouragement being given to marriage by the present governor, who is aware that the best species of reform is that which the wants of the married state bring about; the new ties and new duties thus called into play, being the likeliest of all possible incitements to produce amendment by impelling to labour and industry, in order to cherish and more effectually fulfil them. Where the female does not amount to an eighth of the male population, no wonder crimes of the deepest die should prevail amongst individuals naturally so depraved; therefore, except for the purposes of punishment, no women ought to be kept in the factory, but allowed their free liberty, taking care to punish them for drunkenness or common prostitution, reserving the factory only as an asylum in cases of destitution and old age. The women being almost invariably led astray by the men, we ought to view their offences more with an eye of pity than of anger, and reform rather than punishment should be our object. If by the suppression of one crime, you create another some thousand times worse, you surely cannot deem yourself doing good.

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Thus, mewing these veterans in vice up in the factory, when such a disparity of sexes exists among us, not only tends materially to check the advancement of population in our young community, but gives rise to the most abominable of crimes, while manifestly tending to the seduction and prostitution of our young colonial females, who may be justly said to be sacrificed to the fanciful speculation of preserving an *ideal* morality among our depraved English importations. The government here was forced into this system by the theorists of the day, who, in their zeal for introducing a *millenium* among us, avert their eyes from the gross worldly results to which their Utopian speculations lead.

The love-matches among this portion of our population certainly often savour not a little of the romance of olden times. Not a few of our factory fair have been wooed and won by a sort of telegraphic courtship, carried on by means of hand and handkerchief signals from a commanding eminence overlooking the domicile of these nymphs; the most puzzling point for the love-lorn swain being that of finding out the *name* of his pledged bride, in order to obtain her release from the police bench for the consummation of their nuptials. Not a few happy matches have resulted, too, from

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tender attachments formed within the love-inspiring walls of the lock-up house; nay, it is even asserted that such have taken place when the sentimental couple were in the course of initiation in "*revolutionary* principles" at Cubit's *peripatetic* seminary.

A twelvemonth scarce has passed, indeed, since a rich and amorous Sydney youth, with the bloom of fifty-six summers on his cheeks, was linked in love's dear bands with one of our pretty penitents, from whose eyes he first drank in the sweet infection, while his "fairest of the fair" was performing penance in the public stocks on a market-day, (with her gown-tail drawn over her head,) for dabbling too deeply in strong waters on the preceding evening.

Owing to the dearth of "female loveliness" in the colony, there is always an eager competition of suitors among our lowly swains for every vacant hand that presents itself. Our wo-begone widows are frequently, in fact, scarce permitted to give their mourning weeds the benefit of a second day's sunning before they are entangled in another matrimonial web; and indeed some of our easily-wooed brides may be said to trip off to church wiping the widow's tear from the one eye, and blinking blithely with the other upon the "happy,

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happy swain" who is bearing his prize triumphantly away. A friend of mine, but a novice in colonial phraseology, having an audience earnestly begged of him one evening by his buxom washerwoman, was, to his no small astonishment, solicited for an advance of two dollars to enable her to get married in the morning. "Married!" exclaimed my friend; "why you told me only *three days ago* that you had a husband in England." "So I did, sir," sighed the fair; "but I have received a letter since, acquainting me that he has *suffered*." "*Suffered!*" re-echoed my unsophisticated friend, dropping his voice down to the tender-key; "dear me, what has he *suffered?*" "He has been *hanged*, sir," whimpered the petitioner; and clinking the dollars into her pocket, she tripped out of doors to solace her widowed heart with the joys of a second husband.—Married women ought indeed to be divorced on transportation, because they might then marry *legally* here, whilst at present they generally wed in the colony in defiance of former unions in England; our clergymen having no positive means of knowing whether such have been contracted or not, and few of them, I believe, being very particular about the matter, as even the most evangelical must admit, that it is more seemly for a couple to live decently

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together under the respectable cloak of matrimony, than in open adultery.

Women are in fact one of the best and most patriotic consignments that could be sent out to our rising country. Even furthering a few ship-loads of *volunteers* from the streets of overgrown towns in Britain would benefit greatly our convict community;—benefit also the places from whence they might be despatched; and benefit the wretched creatures themselves, by enabling them to begin a new and useful life in another country.

The inauspicious issue of the experimental mission of the Twelve Apostles* some years back has, I fear, operated against future speculations of this kind; a goodly proportion of that chosen band having been found in a *matronly* way (hanging in a sort of sentimental love-trance round the necks of the sympathising tars) by the reverend inspector who visited them on arrival, to certify as to their *high* state of *moral* improvement. But even admitting the worst in this case, still the situation of these unfortunates must be *now* out of all comparison superior to their former debased condition in England; while the colony cannot but

* Twelve *unfortunate girls*, who had been sent out by some religious society, to get either places or husbands in New South Wales. They were so named by the sailors.

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have profited by such an acquisition as twelve young healthy females, destined perhaps to become mothers of virtuous families, and thus to increase the amount of our industrious population. The sudden prolifickness of this class of females doubtless arises partly from change of climate producing a corresponding change in constitution, but may chiefly be ascribed to an alteration of *habits*. The same effect we see coming into play among the street-perambulators in England, since it became fashionable to renovate their constitutions by short sentences to wholesome prison diet, and the wholesome discipline of the tread-mill. The *fruitful* effects of these measures most of the parishes frequented by such damsels can abundantly testify. The facetious clergyman of a manufacturing village in the North seemed to understand this matter well also:—no illegitimate children had been for a long while forthcoming in the parish, till change of times caused a dispersion of the male *manufacturing establishment*, when a sudden fecundity ensued. A worthy elder, shocked at the scandal of such a numerous illegal progeny being all "on the stocks" at once, waited on his pastor to condole upon the subject, and take steps to avert, as he deemed it, the "increasing depravity,"—but was checked by his reverend friend

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pulling him gently by the sleeve, and whispering in his ear, "No, no, James, no, no; instead of viewing such as tokens of *increasing depravity*, I hail them, James, as the first signs of *returning morality*." So we may say of our female exiled population; pointing to the fine and numerous families which they rear as triumphant proofs of their *moral* regeneration.

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CHAPTER XIII.

Suggestions toward the amendment of the present convict-regulations in New South Wales, tending to render the colony available at once for purposes of punishment and reform—Remarks on the construction and discipline of jails, and on the policy of the system of *public* executions, &c.

IT being a most important consideration to the mother country, that the system of convict-discipline in New South Wales should be so regulated as to insure the *punishment* as well as the *reform* of every offender sent out, in order that criminals may be deterred from the commission of crime in England by the *terrors* of transportation, instead of as heretofore often *courting* it as a desirable object,—a few hints regarding the accomplishment of these points may not be unacceptable.

In the first place, then, a uniform list ought to accompany every party of convicts forwarded to the hulks from whatever jail in the kingdom, containing (in separate columns) each criminal's name (alphabetically arranged), his age, trade, description,

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place, and date of trial; together with the particular nature of his crime, his sentence, and, lastly, the character he has previously borne. This latter point ought to be diligently investigated by the committing magistrates, who might consult the clergyman of the criminal's parish; the individuals with whom he has worked; and the constables and magistrates of the place. As it is, the characters furnished to the hulks by jailors or turnkeys can be very little depended on.

Again, when the convicts embark from the hulks for the colony, a copy of this list should accompany them, duly examined and certified by some responsible individual from the secretary of state's office; as these lists are at present made out by a convict-clerk, the difference of half-a-crown will make a man either a saint or a fiend.

On arrival in Sydney, the police magistrate, accompanied by two others, should repair on board the ship; examine each individual separately, to verify the descriptive remarks; and, according to the nature of his crime and previous character, sentence him to work a certain period, in single or double irons, in a penal gang employed in the distant interior of the colony upon road and bridge making, or clearing portions of land for prospective settlers (as suggested in the able letters of

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Mr. Eagar); and in fencing fields, putting up stockyards, and building dwelling-houses, to be paid for by the settler in yearly instalments of wheat. Every six months, three magistrates should make the circuit of these gangs; examine all such as have served their allotted time, and, if certified on oath by the superintendent and overseer to have worked and behaved well during that period, release them from their irons, and assign them to the employ of a settler for a period of four years: this term being also served, the convicts should be carried before another bench of magistrates, and their masters and overseers again certifying on oath to their good behaviour, a "ticket of leave" might be conferred upon them, entitling them to work for their own benefit in any part of the colony; but if failing, in either of the above cases, to establish a good character both as a workman and otherwise, each man should be placed in the penal gang for a fixed period again. I would arrange these penal gangs in four divisions: the first including all the good workers; the second, all the indifferent; the third, all the incorrigibly lazy; and the fourth, the old and infirm: making a reduction in the scale of rations downwards, according to the working qualities of the gangs, excepting in the sickly and superannuated gang who might enjoy the

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allowance of the second division. Every gang ought to be managed by effective overseers; and behind the gang of incorrigibles, the overseer ought to walk with a military cane to quicken the motions of the more backward. You can make these inveterates work by no other plan; for in every other way of managing them, they would wear out the patience of the whole family of the Jobs. It redounds ultimately as much to their own benefit as it undoubtedly does to that of the community to make them good workers, so that when their sentences are expired, they may be capable of earning their bread *honestly*. An overseer intrusted with such a power, ought of course to be a man not likely to abuse it, and would therefore require to be most strictly watched; while, in every case of complaint, the overseer ought to be supported before the eyes of the gang, even though he may be *wrong*, unless it is a glaring point of misconduct on his part: indeed, as the finding of a fault with the overseer in the presence of the gang degrades him in their eyes, as well as in his own, and consequently not only impairs his authority, but makes him careless in future of his duty, this *driving* mode of forcing the incorrigibles to labour, besides being undoubtedly the most effectual, will, I am confident, be ultimately found to be the most

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humane mode too, there being nothing degrading in the administering a cut of a whip to a lazy fellow; while, of the degrading floggings, even a few would in all likelihood save him, and would eventually be as *humane*, as they would evidently be *effective*.

Such was the practice followed in the early stages of the colony, and with the best effects too, as several old workers under this law have assured me; while I am confident it would give no less satisfaction to the generality of the convicts themselves, as the major part of such a gang would inevitably consist of the incorrigible town-bred thieves, who bully and swagger over the others, and whom I never punished in any way yet, without observing numbers of glistening eyes contemplating in silent delight the agreeable treat. Whenever I find that my captains of the deck can be depended on, I allow them to carry ropes-ends in their pockets to touch up the lazy fellows; and I have invariably found this method to be more agreeable to the body of the prisoners, than having them complained of. A man of great prudence and good sense now in my employ, who went out with me as a "captain of the deck," used his rope most liberally on the voyage, and was most popular among them too. It is melancholy indeed to witness the number of fine young men that are ruined by the in-

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efficient discipline now in vogue in the government gangs; it being a common trick to station a sentinel on a commanding eminence to give the alarm, while all the others divert themselves, or go to sleep. Such are known here by the name of "cockatoo-gangs," from following the example of that wary bird. On such individuals serving their time, they usually take up their abode in the towns here, and commence their old trade again, by which alone they can live; and if some plan is not put in practice to rid the good folks of Sydney of this increasing pest, property will there soon require nothing short of a regiment of police to protect it. Nothing can possibly operate worse upon the whole body of criminals than the mode hitherto followed, of admitting the educated and well-connected convicts to the enjoyment of easy berths in the colony the moment they arrive—proving as it does to the others, that it is for their *friendlessness* they are punished, and not their *criminality:* while the insolence and contempt with which these treat them, render the marked distinction still more galling; and as they have not ignorance or want to plead as an excuse for their misconduct, like the others, even less comparative sympathy ought to be shown them.—It is quite a mistaken notion that they cannot be converted into good work-

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men, for however delicate an individual may have been previously brought up, he still may be inured to profitable labour. It is recorded of two dandy shopkeepers from London, that, by practice, they became the most expert fellers of timber in the Illinois, where they were known by the name of the "babes in the wood;" and two delicate-fingered incorrigible Dublin thieves, who went out with me, are now, I undertand, first-rate "fellers and stumpers" in a good clearing gang. The history of these men is curious. For an offence on board, they had been *fortunately* flogged by my order; fortunately I say, from their being sent on account of it to a penal gang at Emu Plains, where, under the unflinching superintendence of Mr. Murdoch, who *compelled* them to perform their tasks, what was once a pain soon became a pride, from the credit their expertness obtained; so that by the *fortunate* flogging, they will be dismissed *good workmen* at the conclusion of their seven years' term, instead of being lazy incorrigibles, ready to resume their thievish practices again. "By J——s, sir," exclaimed one of their old companions, who was telling me the story, "they ought to pray for you every hour of their lives for the flogging you gave them, for it has been the making of them."

When an individual has enjoyed the privilege

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of a ticket of leave for two years, and maintained an unimpeachable reputation during that time, emancipation might follow as a matter of course. The convict would thus have three periods of probation before he could attain his freedom in the colony; and knowing the strict examination that would be made at these periods both as to his being a good workman and a well-behaved person, he would be more unremitting in his endeavours; particularly as he would see a certainty of acquiring his freedom in a fixed time by good conduct.

The convict's time ought never to be *lengthened* in a settler's employ for misconduct, but he should at once be disposed of in a penal gang; because many of the settlers would otherwise be induced to make frivolous complaints against their good servants in order to *keep them the longer;* while a settler's employ would be made to appear in the eyes of the convicts generally as a *punishment* instead of a *reward.* Nothing but bodily infirmity should ever prevent a convict (whatever his former respectability may have been) from passing through these probationary periods; while he ought not to be allowed to entertain the most distant *hope* of having such periods *mitigated* by *good* conduct, but a *certainty* of having them *lengthened* by *bad.* The deprivation of all hope before the fulfilment

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of the period fixed would be itself a punishment, and therefore ought to be considered when sentence is given; because it should be kept in view, that the punishment ought generally to be as short but as severe as circumstances will admit, whereby the public as well as the criminal are alike gainers.

It would be a good rule to assign no more of these individuals hereafter to residents in the county of Cumberland; but let this county be kept as a preserve for the free and the ticket-of-leave men to labour in, as the labour of free farm-servants is at present nearly as cheap there as the labour of convicts.

To keep the penal gangs secure during the night, let a stout waggon upon low wheels be constructed, somewhere about thirteen feet long and six broad, clasped together with iron bars, and covered with plates of the same metal, to prevent its being cut through,—and loop-holes and slides at top and bottom for the admission of air. Two sleeping-berths on each side lengthwise, and two again above these, would accommodate eight individuals in each waggon, to be locked in during the night. These waggons might always be moved along so as to be kept near the work; while a few sheets of bark, or branches of trees, would shelter them du-

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ring the day from the sun. The convicts in these penal gangs should have no communication either verbally or in writing with any one in the colony, except through the medium of their overseers, so as by keeping all knowledge of the country from them, to make it more difficult for them to escape,—while their heads should be kept close shaved, to admit their easier recognition. Task-work should invariably be had recourse to when it can be attained; and the superintendence ought to be of the most efficient description, if it is wished to make government labour a *punishment* instead of, as hitherto, an *amusement* (besides being the ruin of every convict employed in it, owing to the lazy profligate habits he therein acquires).

The superintendents should be intrusted with the sole power of punishing; and to admit of this, they ought to be all magistrates. It is evident how loose the discipline of a regiment would be, if the colonel had to take every soldier to a magistrate before awarding even a slight punishment; and the system of convict discipline should be modelled strictly on military surveillance, punishing *slightly* but *certainly*, being the best rule to go by, as I am convinced by experience.

Other descriptions of penal gangs should be instituted for the appropriation of convicts found

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guilty of any crime in the colony, or returned from settlers as lazy, insolent, or the like; wherein to work out in double or single irons the sentences awarded them. These latter gangs should be employed in the older settled portions of the territory in similar species of labour to the former; their diet, however, be of an inferior description, and consist principally of maize meal, the cakes and homony made from which are abhorred by all our convicts; but which being a wholesome, cheap, and nutritious food, is on all accounts well suited to them. Whether in depriving an individual of a ticket of leave, or sentencing him to a penal gang, the periods should be always limited; and no consideration ought to occasion their curtailment when once sentence is passed and approved by the governor: and when slavery for life is the *least* punishment that can be awarded, it ought to be distinctly explained to the culprit, that he may entertain no hope whatever of release. It might possibly be necessary to transport a few of the most desperate to Norfolk Island, but the greater portion of them would be safely and more beneficially employed in forwarding improvements in the colony, by which the expenses of their maintenance might be more than defrayed.

The great objection hitherto against clearing gangs has been the impossibility of confining them

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at night, in consequence of which they were enabled to prowl about the country after dusk, plundering the settlers and travellers on the road; —but confinement in waggons would obviate all this. Good overseers, with a small party of military or armed policemen to each penal gang, would amply suffice to keep them in order, assisted by a few armed natives to trace and bring them back in case of desertion. A simple and comprehensive code of laws (adapted solely to the convicts) arranged in the manner of the Articles of War, should also be passed the colonial council, printed and pasted upon a board, and hung up in a conspicuous part, to be read by each gang, and also distributed among the settlers for the like purpose.

All offences committed by convicts ought to be tried by a court of five magistrates. It is absurd to allow men suffering the penalties of the law all the privileges which free-men are in these respects entitled to, and to have the advantage of all the delays and legal quibbles which the usual jury trials admit. The law with them should be expeditiously carried into effect, and no legal subtlety ought to screen a criminal when proved guilty of *another* crime. These benches of magistrates should have the power of sentencing to death, and increasing the criminal's sentence of transportation or labour in a penal gang to an inde-

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finite period,—always however having the sentence sanctioned by the governor with advice of the chief justice, when death is awarded, or when exceeding four years' increased transportation or labour. When the brave men fighting the battles of their country are amenable to a court of military officers for every offence they can commit, why should not individuals expelled that country for their crimes, be amenable to a court of intelligent and respectable magistrates?

The reformation of prison discipline forms another object of great importance to the welfare of the mother country; as long as a prisoner comes out of jail a worse man than he went in, it must be confessed to be a very melancholy state of things.

The great imperfection of our prison arrangements is, that prisoners for every variety of offence are so mingled as to make a jail more a place of convivial enjoyment than of punishment; while, instead of the principles of the prisoners undergoing *reformation*, they become more and more *corrupted*, from the recital of larcenous adventures and exchange of larcenous opinions. After leaving prison, too, the individual who had been sent there for some petty offence is recognised as a fellow-sufferer by the depraved characters he may

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have been associated with, whose company he is consequently inveigled into, and his morals thoroughly polluted. If therefore a jail could be so constructed that none of its inmates could exchange a word with each other, or even see each other's faces, and consequently never be able to know who were immured along with them, the above evils would be avoided.

This might be accomplished in the following manner. Let a series of cells of strong oak be constructed, nine feet by four and a half, and seven high, hooped round with iron bars, and covered with plates of the same, to prevent being cut through, having a strong iron grating at top, and a sliding or folding cover with a bull's-eye in it, which the prisoner could open and shut, and small port-holes and slides at the bottom for admission of air. A hammock slung between two rings might serve for a bed, setting the bed-clothes out to air daily: the cells being all placed under a common open shed, having a warm air-pipe passing up between them, and communicating by a stop-cock with each cell to admit the prisoner warming it in cold weather or whenever requisite. These cells being placed on trucks could be moved out into the open air to give the prisoners the benefit of a sunning in fine weather, while the nine-feet-length of each would

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afford quite sufficient space to take exercise in when its inmate became accustomed to that limitation, as any one who has been at sea can amply testify. A narrow gallery overhead, extending the whole length of the shed, would serve as a place for the watchman or patrole, to prevent conversation, and guard against escape. The prisoners would not be enabled to see or speak to each other in the cells; while on their being placed at the mill or allowed to walk out upon occasion, they should be dressed in loose flannel frocks having the number of their cell painted thereupon, and have tin masks on, so roomy as to admit of wiping their faces without taking them off, during labour.

A jail of this description would thus consist but of a high wall enclosing rows of open sheds with a few necessary buildings for the officers, &c., and could not possibly cost one-third of what jails commonly do; while, as this solitary confinement would be one-third worse than the mode of imprisonment now followed, the period of incarceration might be relatively reduced, and the expenses to the country reduced in the same ratio, while the prisoner, by obtaining his liberty earlier, would also be a gainer. In large towns, where ground is valuable, arched galleries might rise in succes-

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sive stories above each other, partitioned off into cells admitting a free ventilation through them, the archways having doors on account of the greater exposure from height. The galleries might thus form a square, with the other requisite buildings in the centre. But the greatest advantage of all is, that the prisoners would never be able to know who their jailmates were, *or recognise each other on liberation,* so that the man who was sent to prison would come out of it at least *no worse* than when he went in. Prisoners ought also to be carried masked to and from the court houses and police offices to the jails, by which means the degrading exposure of handcuffed individuals through the streets would be avoided.

What is here recommended in a *general* way, has long been *partially* carried into practice; and, therefore, less hesitation is needful in the matter. In the Carlisle jail, all the prisoners are either kept in separate cells, or keepers stationed along with the others in the wards to prevent conversation; while all jails have solitary-punishment cells; and do we not constantly hear of prisoners being sentenced to hard labour and solitary confinement? The prisoners on the tread-mill would (or at least ought to) have exercise enough without requiring much of a promenade in their cells,

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while the space proposed would admit beyond comparison a greater enjoyment of fresh air by the culprits; for if we divide the wards in which they are confined into compartments, in no jail will they have half so much individual space; and my own personal experience amply satisfies me that a nine-feet promenade is amply sufficient to admit of proper healthy exercise being taken by a little habit. Indeed, by what I have seen in convict-ships, not above ten per cent of prisoners take any exercise at all, and even with the generality of these, it scarcely amounts to exercise, nor indeed is there much room in a convict-ship to take exercise in, yet all *improve* amazingly during the voyage.*

* When surgeon of a brig of war, my quarter-deck promenade was confined to eight paces, and often five paces only of this could be comfortably enjoyed, on account of the deck being wet, or something in the way; and after retiring on shore, I still found it necessary to confine my exercise promenade to eight paces; *less* I could enjoy comfortably, but *more* was always irksome to me, and I uniformly turned as naturally at this distance as if some impediment had stopped my farther way. If I walked ever so far during the day about the country, yet however weary, I still found it necessary to take my usual walk of a few paces in the room, as *exercise*, for the other walk I could not, for long, be made to feel as such.

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The bad effects resulting from the publicity of punishments are no less worthy of consideration. Although it has long been acknowledged that this publicity has no power in deterring from crime, public punishments still continue to outrage the best feelings of the community. They however not merely do not *deter*, but actually operate in a contrary way, by hardening and debasing the feelings of individuals, and making them value these punishments *less* by reason of their familiarity with them than they otherwise would do. A man who has been in the habit of witnessing public punishments of any kind must feel with what different sensations he contemplated the *first* instance to the *last*, and will be led to confess that, even bad as they are, his imagination

After being two years on shore, I was appointed to a convict-ship, the quarter-deck of which admitted a longer walk than eight paces; but still, after my allotted steps had been taken, I turned as naturally as ever at this distance, much to the annoyance often of the officer of the guard who was walking in conversation with me, and who did not relish such an abridgment of his stroll; yet I could not step out another pace for any length of time, without feeling uncomfortable, and becoming weary. A naval officer may indeed be generally soon detected in a room, as he must get up to take his quarter-deck walk.

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had painted them as much worse. The first time I saw a man flogged, every lash made me wince as if it had fallen upon my own shoulders; but now I could see a back scarified without moving a muscle. In England, we have such a horror of the cruel and bloody guillotine, that an attempt at its introduction might endanger the public peace; while in France our barbarous hanging is no less abhorrent to public feeling, *each countryman thinking worst of that which he has never witnessed.* Dangers unseen indeed always produce a much more appalling effect upon the mind than those with which the eyes are familiar; while our feelings, at first melted by the sight of *every* moving spectacle, defy by gradual inurement the most horrific! The boy fresh from school, who would quake at even the probable casualty of a bloody nose, will, in the course of a short campaign, rush fearless to the cannon's mouth, prodigal of the lives of his fellow-creatures, and equally regardless of his own.

Marius, from accustoming his troops to the fierce and savage looks of the Gaulish invaders, was at length urged by them to lead them to victory, against that very enemy at whose name they formerly trembled, but of whom knowledge led to contempt. Can it be with this view that legislators familiarise individuals to the sight of capital

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punishments;—to make them think lightly of the gallows, and steel their minds preparatory to the trial when their own turn may come?

Every effort ought to be made to impress powerfully upon the *imagination* of the multitude the terrible nature of our punishments, without permitting them to be actual *spectators* thereof. The having a black board, bearing in large letters the names, ages, and crimes of the delinquents, posted up conspicuously before the prison; a black flag with emblems of death hung out; a minute-bell tolled until the criminals issued from their cells; and the clergyman to appear briefly *with them* on a stage in front of the prison, and kneeling with them to call upon the multitude to join in prayer on behalf of the unhappy culprits:—I think it might be at least worth the serious consideration of the legislature whether these solemnities, or such as these—this display of the "pomp and circumstance" of death—this appeal, in fact, to the imagination (whose peculiar property it is to *exaggerate*),—may not be far better calculated to answer the purposes of warning and deterring than the actual brutal exhibition, notoriously turned by the reprobate into a disgusting joke.

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CHAPTER XIV.

Colonial government of New South Wales—Executive council—The secrecy of its sittings animadverted on—Courts of justice—Law officers—Extraordinary decisions—Distinction without difference—Value of evidence formerly in the Australian courts—Colonial magistrates and their peculiar powers—Convict hospitals—Church establishment—Government secretary, and other functionaries.

NEW SOUTH WALES and Van Dieman's Land are under the jurisdiction of a governor-general, who resides in the former, with a lieutenant-governor under him for each colony: but he can exercise no control over the Van Dieman's Land legislature, excepting he happen to be on the spot at the time. The governor has of late always been a general, and the lieutenant-governors, lieutenant-colonels; that of New South Wales being indeed merely the senior officer in command of the troops. The governor is assisted by an executive council similar to that of India, which he is obliged to consult on occasions of any moment; but he is still authorised to act on

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his own responsibility, provided he states in writing his reasons for so doing, and forwards them to the government at home. This is a most important improvement relative to colonial legislation; while it operates as a strong check upon any oppressive or rash act on the part of the governor, it in no way diminishes his authority when directed in a right course,—and indeed renders it on the whole more firm and respected, and government-acts less liable to be made objects of personal cavil or animosity,—as he can always defeat opposition when carried to an extreme dangerous to the safety of the colony, and yet incurs a serious responsibility when he frees himself from the control of the council.—The legislative council consists chiefly of government officers, to whom two landholders and a merchant are added, with the chief justice as president. It is authorised to impose taxes, and pass laws for the benefit of the colony, provided these laws are certified by the chief justice to be conformable in spirit to those of England. Its sittings are secret, and indeed the members are sworn to reveal nothing that passes at those sittings, so that the good folks of the colony actually know nothing of what is in embryo for them either in the way of blessing or otherwise, (and the measures have hitherto been pretty

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equally divided in that respect,) until the profound meditations of the tribunal are blazoned forth in due form in the gazette, to fill the colonists with joy or with consternation. The chief justice having the *veto* on all colonial acts, he is made in fact the sole depositary of legislative power in the colony, a power with which no man however worthy ought to be intrusted; while all the council sittings being in private, and its acts kept secret also until finally passed and published, the respective members are not urged onward in the path of the public good by that honourable rivalry which pride, vanity, or patriotism, tends to produce when roused into action by the stimulating excitement that publicity affords; while each is deprived likewise of all the merit of possible opposition to measures in embryo for which when passed into laws all are equally blamed or praised; and thus the pride of the individual members leads them to advocate the continuance of laws to which they were originally opposed.—Thus, as was to be expected, little or no alteration is ever made in the acts as presented by the chief justice to the council, unless the personal interests or personal feelings of some of the members are brought into play:—who, in general, cares about a measure which does not materially interest him personally, and for

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which, however zealously he may exert himself to improve or promote it, he will never gain one iota of credit? as he dares not even publicly hint at the benefits he may have conferred without an actual commission of perjury, being sworn to keep council discussion strictly secret. In fact (as might have been anticipated), any other subjects rather than those they are summoned to deliberate on form the usual topics of discussion,—as I heard one of the honourable members once laughingly declare to a friend who was solemnly holding forth upon the supposed hot debates that must have taken place with regard to an act of council newly passed! From revealed specimens of the conversation on these occasions, it would appear that the sittings of our honourable council are occupied less with the discussion of the legislative acts laid before them, than with such important matters as the price of eggs and butter on the last market-day. Before any one thoughtlessly laughs at this, let him put the matter to the test of his own conscience, and he will be disposed to confess that under similar circumstances his own conduct would be the same. There is no safety in fact for colonial prosperity in such a state of things, because when their own interests are not particularly affected, individuals, as we see every day, allow the public inte-

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rests to give them very little serious concern.—Had there been any *tobacco growers* or *distillers* in the council that passed the inconsiderate act reducing so immensely and without a moment's warning the high duties on foreign tobacco and spirits imposed with a view to encourage those of colonial growth and manufacture,—or had the public been aware of their intentions,—such a hasty and baneful measure (which not only frustrated the hopes of the colony being soon capable of supplying itself with these essential articles, but absolutely plundered those who had commenced tobacco growing or colonial distillation, on the faith of the act of the British parliament, of the fair gains which their undertakings would have insured to them) would never have been *projected*, or at all events so vigorously opposed, that its doom would have been instantly sealed.

It answers but little good purpose, except to embarrass us, to pass laws in England for our intended benefit. Give us a proper legislative body of our own, and we will take that trouble off the mother country; as individuals living on the spot must be supposed to know something more about our wants, than those living sixteen thousand miles distant.

One chief justice and two *puisnè* judges sit in

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civil and criminal causes in the colonial courts, two magisterial assessors assisting in civil causes if both parties do not agree to a jury trial, and military and naval officers on full or half pay officiating in criminal causes,—such being recommended by the commissioner of inquiry on account of its being considered dangerous in the existing state of excited feeling between the emigrants and emancipists to trust either singly with power, while conjointly their efforts are not likely to lead to any very harmonious issue. There is an attorney and solicitor-general also for the colony, one of whom presides at the courts of quarter-sessions held at Sydney, Paramatta, Liverpool, Windsor, Bathurst, and Newcastle. Juries officiate on these occasions, the qualification being regulated by property, as in England; but individuals who have formerly been convicts are only allowed to sit when whitewashed by an unconditional pardon. The number necessary on each jury is the same as in England, and their decision must also be unanimous,—the bad effects of both of which must be apparent to the most ordinary comprehension, enabling as it has done here (as well as in England) a single individual to defeat the ends of justice,—while operating oppressively on the thinly-peopled districts, and injuriously to the public

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good, in calling the *whole* of the respectable portion of the population away from the superintendence of their convict establishments,—and that too at times when their private interests may particularly demand their presence. Sentences awarded by our criminal and quarter-session courts, are usually also marked by the same inconsistency as in England,—seven years, fourteen years, or transportation to a penal station for life, being the only modifications of the amount of punishment considered as *equitable;* as much as to say that crimes do not proceed in a progressive style of enormity, so as to require punishments commensurate with their amount, but that the *second* grade is invariably twice as bad as the first, while the *third* exceeds both these again in an unreasonable proportion, and the *fourth* is expiated by no punishment short of death. All the beautiful legal technicalities which adorn our English laws, and serve to fill the minds of culprits with joy and the pockets of lawyers with money, have been *duly* imported too with the former, and are made *duly* available as well in the cases of convicts even at *the very instant* suffering the sentence of the law, as in those of free men who had never before committed an offence. Thus, if an individual transported from England for having been accessary to a murder

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there should commit another the moment of his arrival, and the indictment should make some trifling mistake in the name of the murdered person or of the murderer, or in the names or occupations of their parents, or the manner how, or instrument by which the deed was done, the culprit is merely sent back to a sinecureship in a government gang without a single step being taken to prevent a repetition of the crime, or to lower him in the estimation of his associates, he being in fact allowed to return as free from any mark of censure as when he left them. It is from the existence of such a state of things that our legal institutions are looked upon by the humbler classes in the community as mere lotteries or gambling speculations, in which *chance* usurps the seat of *justice;* when a case depends as much upon the proper spelling or placing of a word, as upon its intrinsic merits, for the equitableness of the decision, who can possibly look up to institutions which sanction such absurdities with either confidence or respect? As an instance of the danger and downright folly of permitting these pitiful quibbles to arrest the course of justice;—a felon working out a sentence in a penal gang at one of our out-settlements, (and of so incorrigible and depraved a disposition that repeated floggings were required to keep him in subjection,) having

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committed a crime for which punishment was threatened, in the fury of the moment seized an axe and beat in the skull of another convict sitting beside him, exclaiming with an oath that they *must hang* him now; yet on the trial he got triumphantly off, because he had used the *head* instead of the *edge* of the instrument in perpetrating the atrocious deed! and returned to his gang (after enjoying an easy idle life of several months) in the same merry mood as when he left it, declaring he would commit a similar deed whenever they dared to threaten him with a flogging. A notorious gang of robbers who had long infested the Windsor road, too, escaped in the same way at the quarter-sessions, because the drawer-up of the indictment (from having unfortunately been more conversant with the language of ordinary life than with that of law) had described a gown and petticoat as the property of a *woman* instead of a *man*; this said woman happening to be married, the learned chairman held that it legally belonged to the husband, and on this plea the whole gang were forthwith acquitted, much to the annoyance of a worthy magistrate on the bench, who declared he had often heard of a wife wearing *the breeches*, but never before of a husband wearing *the petticoat*. While I was in court one day, an individual

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who was tried on an indictment for sheep-stealing seemed in a fair way to escape the penalties attached to the crime by his legal defender proving that the animal was not *legally* a sheep, in consequence of not being *come of age*, (according to prior decisions in England,) and the matter was put aside to be gravely argued at a future period. Nothing could exceed the astonishment of the simple countryman on finding that the very animal he had reared, and a pair of stockings from the wool of which he had then on, was not a sheep as he had all along believed: the next *sheep* which was stolen from him he vowed he would call a *pig*, and try what the effect of that would be. Now, as it is impossible to state the name and trade of the parent of a foundling,—and as the law would surely never permit the murderer of a stranger to escape merely because his name was unknown,—if the name of the murdered individual, or the name and trade of his parent, can be dispensed with in one case, why should they be considered *essential* in another? In the case too of a house being robbed or property stolen, *justice* does not require, in every case, that we should know the owner of the house or property, but simply whether a robbery has been effected, and who was the perpetrator; yet the *law* always requires this additional

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knowledge. It is enough that a thief should be proved to break into a house not his own, or steal things not his own, to insure a conviction. Can there be a greater libel upon justice, than that although a dozen individuals saw a rogue take a purse from a stranger's pocket, yet if the owner could not be produced to swear to it, the rogue would *lawfully* escape. The only necessary points indeed wherein correctness is required for furthering the ends of justice in an indictment, are those regarding the nature of the crime, and *where* and *when* committed, enabling thus the accused to know beforehand the exact nature of the offence he is charged with, and to rebut it by an *alibi* if he can; and if an error should be committed on any of these points, by which the criminal escapes, were the judge to fine the individual who drew up the indictment, and make him pay all the expenses of the prosecution for his carelessness or incapacity, such escapes would be very rare, while this would be nothing more than the common rules of justice, as applied to every other profession. If a progressive scale of punishments, likewise, were attached to every class of offences, and the public prosecutor to charge the prisoner in the indictment with a degree of guilt corresponding to a certain punishment in the scale,—which the jury should not

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be allowed to go beyond, while the judge might again be allowed to mitigate the finding of the jury,—this would be an obvious improvement on the course now pursued; for we see juries bringing in individuals guilty of offences to which the penalties of death or transportation for life are attached, which the judge is afterwards obliged to reduce to a few months' imprisonment. If witnesses were also to be sworn by the judge in the solemn and impressive manner of the Scotch courts, doubtless the disgraceful scenes of perjury which now pollute our English courts would be materially lessened, where the oath is administered by an obscure individual, and in a manner little calculated to excite any other feeling in the breast of the most sensitive but that of disgust at the slovenly and unimpressive manner in which the witness is sworn. It was during the period of our great colonial distress some years back, caused by the sudden reduction of government expenditure and the alteration of the currency, that perjury began to raise its head triumphantly in our courts, since which it continued to increase until Governor Darling's arrival.—This evil among a host of others has not escaped his vigilant attention. During this period an *honest lawyer* among us informed me that he was now no longer told such and such

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points could be proved in the cases he was conducting; but was coolly asked what points it was necessary to prove, in order that witnesses might be procured to prove them. A dollar and a pint of rum were currently stated to be the prices paid at the outset for witnesses of this description, till competition broke up the monopoly, and admitted of purchases at a more equitable rate. The prosecutions, however, lately instituted against these "retainers of the law," and the rule now followed of gazetting their names by way of intimidating other offenders, will soon break up the flourishing trade too long enjoyed by them. Of the mode in which these matters were *formerly* managed in our Australian courts, the account of a trial on which I sat as juryman may serve as a specimen: it was the case of a woman formerly of light character in Sydney, but who having married a shoemaker, pursued her old vocation with less scandal, and with the praiseworthy view of bettering her worldly prospects, and enabling her dear husband to qualify himself to have his name included in the list of jurymen under the clause of the new bill expected daily from England, in which *property alone* is to be the test of qualification. This lady having paid a friendly visit to the lodgings of one of our military heroes in the dark, managed to

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pick the lock of his strong box, and carry off from it a bag containing a thousand Spanish dollars. Three witnesses were produced to substantiate the case, two of them female servants in the barrack, who had seen her leaving the officer's quarters with a heavy bundle; and the third, the keeper of a tavern, in whose house she had arrived in a very exhausted state with a bag under her arm, which burst in her lap,—when out rushed the dollars! The usual mode in such cases is that of proving an alibi; but in this instance, it was apparent that such a mode of proceeding could do no good, and therefore that means must be taken to invalidate the testimony of the witnesses. A Sydney householder and an old apple-woman were brought forward to prove *malice* on the part of the servant girls, by swearing that on their leaving the police-office after the first examination, they stopped and talked with the witnesses on behalf of the prisoner on their way back to the barrack, and uttered against the said prisoner the most deadly threats of animosity. The whole case of perjury was in fact most *creditably* managed; because, in order that the witnesses *for* the prisoner might *know* those *against* her when confronted with them, they were introduced into court and kept there during the trial, making themselves familiar

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with every tittle of evidence regarding it, and more particularly with the features and dress of those whose evidence theirs was to neutralise. Both of these individuals were perched so close to the dock during the trial, staring so intently at the various witnesses, and paying altogether such keen attention to every thing, that a brother jury-man on my right, judging from these circumstances alone, pointed them out to me as the parties intended to be brought forward on the part of the prisoner, the moment it was stated such witnesses were to be called. A captain in the army, astonished at the glaring perjury of the prisoner's witnesses, came voluntarily forward after them, and swore that he had walked from the police-court to the barrack-yard close behind the servant girls, and that they neither stopped nor spoke to any one on their way, nor did he see either of the individuals who had sworn so stoutly to the contrary,—which evidence was fully borne out by that of the girls, and might have been corroborated by other respectable persons,—yet the perjurers were allowed to slip out of court without even a reprimand. The third witness for the prisoner was required to prove that the *dollars* were *heel-taps* which he had made for her husband, and that the hostess must consequently have been mistaken.

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He had very unwisely however been paid part of his fee in advance,—that is, the pint of rum portion of it,—and was so drunk that he was under the necessity of holding firmly by the ledge of the box in order to keep himself from falling. Yet he deported himself admirably, notwithstanding all this, giving his evidence quite in a careless, free and easy, honest-hearted sort of style. What day of the month was it on which you sold the heel-taps?—I don't know. What day of the week then?—I don't know. Don't you know in what month it was then?—No. Do you know what you came here for?—No. Here the barrister frowned and shook his head at the attorney, to which the latter responded by a significant smile, whispering "Go on;"—after asking a few more questions with a similar result, a paper was at length delivered by the attorney, which being handed to the witness, he was required to state if it was his writing, and if that was his name attached to it. Never did I see a man more anxiously particular in scrutinising a document that he might not in so serious a case run the risk of a mistake, turning it over and over, holding it up and then down, and viewing it in every possible light, till, to his evident astonishment, he found out that it was actually his own writing and

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signature. It is almost needless to say that it proved to be a receipt for the money paid for the heel-taps, dated of course the very day on which the dollars were stolen. No observation was made by a single member of the court on the disgraceful state the witness was in; but the jury unanimously agreed to strike out his evidence, which in fact he ought to have been prevented from giving.

But scenes might at that period have been witnessed in the colony which would possibly have entailed on an individual the cognomen of Munchausen should he venture to repeat them. It was no very extraordinary spectacle, to see an arraigned murderer carousing among his friends in a pot-house adjoining the court, in the very presence of the constables, on the day of his trial; to see "thieves of rank" walking up to trial, arm in arm with their equally-dignified associates, receiving the blessing of all the *sympathising* community as they tripped along, accompanied by the fervent prayer that they might get safely out of "this trouble;" the respectful constable walking, like a common lackey, behind:—to see, also, receivers of stolen goods driving up to court to receive sentence *in their carriages with livery servants*. While all this existed, one could no longer

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wonder that the larcenous portion of the population of England should feel a strong disposition to take a pleasurable trip to our shores.

These jovial times are, however, it is hoped, now at an end; while the effective reformation of civil and criminal proceedings brought about by the labour of our able chief justice will perpetuate his name with honour in the colony, seeing that delay, uncertainty, and expense, are materially alleviated thereby. A reform of this description originating where it does, affords the singular spectacle of the prodigal child setting a good example to the parent.

We have grand juries at all the places where quarter-sessions are held, performing the same duties as those of England; as also courts of requests for the recovery of small debts. We have our *paid* and our *unpaid* magistrates; the former however receiving their salaries in shape of pork and flour instead of gold and silver. This originated in the difficulty of inducing individuals, in the early era of the colony, to devote a portion of their time to magisterial duties, a certain number of rations being consequently issued to them weekly by way of *bait* to allure them into office. But at the close of Sir Thomas Brisbane's administration, a number of gentlemen were raised to

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the bench without the usual perquisites, and styled by him *honorary* magistrates.

Magistrates have here the same powers as in England regarding all offences committed by free men, but are authorised to punish convicts in a summary way. A single magistrate can inflict corporal punishment upon these to the amount of fifty lashes, and sentence to a certain extent of labour in a penal gang employed upon the roads or in clearing land, or else to the jail gang or tread-mill. Two magistrates can sentence to an unlimited number of lashes, but it is rarely that more than a hundred and fifty are inflicted. They can likewise transport a convict to a penal settlement for a fixed time, or lengthen his original servitude by three years. All convict-servants must be returned to government, or sent to hospital, through a magistrate. There are hospitals at Sydney, Paramatta, Liverpool, Windsor, Bathurst, and Newcastle, where convicts are received without any expense to the master; and a receptacle at Castle Hill, beyond Paramatta, for lunatics.

Every district magistrate has a district constable and two ordinary ones under his command, as also a scourger, to inflict corporal punishment. The district constable is always a free man, but

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the others are often persons still in the situation of convicts, who nevertheless usually perform their duty quite as honestly as constables in England, while their intelligence regarding matters in their official line is, as must be obvious, very superior. District constables have mostly 25*l.* per annum each, with a house and rations, and the others 10*l.* each.

The change is astonishing that is wrought upon the minds of the convicts with regard to flogging after their arrival in the colony; for although, on the voyage out, the very threat of it terrifies the boldest of them, after a short residence on shore it becomes the subject of jest; even in some instances, of *boast*. This, I conceive, is entirely owing to its being *publicly* inflicted; for such affairs are usually attended by crowds of the curious, to whom they afford matter for idle comment. Fifty lashes usually suffice, in the colony, for an offence which five hundred would not expiate in the army; and the slightness of the punishment, both as regards the number and severity of the lashes, is often ridiculed by the culprits. Corporal chastisement (degrading in its very nature) ought certainly to be as much as possible avoided, and when necessary, inflicted privately: it will be impossible to remit it altogether in the colony, because the ser-

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vants of a settler may commit an offence at the very period when their services are urgently wanted, and therefore require to be returned forthwith to their master's employ.

To a government secretary residing in the colony is consigned all epistolary correspondence, together with the whole documentary detail of the administration. This functionary is likewise a member of the executive and legislative councils; and through his hands eight thousand official letters have passed within the last ten months; and when I state that Alexander M'Leay, Esq., late secretary to the Transport Board, holds this high and responsible situation, I need say nothing farther.

The internal taxes and government rents are collected by a colonial treasurer; the custom dues by another officer. There is likewise an inspector of excise, a sheriff, and an under-sheriff (with salaries): while a registrar takes the custody of wills and other records.

The church establishment consists of twelve clergymen, and is under the immediate superintendence of an archdeacon (the Rev. Archdeacon Scott,) who is again under the jurisdiction of the Bishop of Calcutta. Of the eminent services rendered by the archdeacon, one of the most im-

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portant will be that of the public seminary on an extensive scale about to be instituted in Sydney, for perfecting the education of our youth. From this seminary, a certain number of pupils are to be despatched at intervals to the English colleges, free of personal expense, and who are to be entitled to the first clerical vacancies in the colony on the completion of their studies.

It is almost superfluous to point out how desirable it is in a country circumstanced as Australia, that all the individuals appointed to fill offices therein should be married men, and men too of the highest character. Inferiors every where ape the good or evil ways of those above them; it is therefore obvious how much moral benefit is likely to result from virtuous example. It is to be hoped, indeed, that the day has at length arrived when persons occupying high stations in our colonies will be required to demonstrate the *good* they have actually *done*, as an essential to their continuance therein, instead of deeming that they have conducted themselves marvellously well if they can steer clear of prosecution or impeachment for oppression or misrule.

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CHAPTER XV.

Australian Agricultural Company — Benefits likely to result to the colony from its establishment—Tract of land granted to the company—Port Stephens—Lunar influence—Proceedings of the company.

FROM the Australian Agricultural Company, of late years instituted, we may anticipate many important benefits, notwithstanding the clamour endeavoured to be raised against it by certain *patriotic* individuals in the colony, which has been unaccountably echoed in England even by men of sense, fonder probably of allowing others to think for them, than of being at the trouble of forming an opinion of their own. The chief objection urged appears to be, to the improvement of a portion of country by means of a company, instead of by the hands of private parties; but this is a very trifling point, considering the millions upon millions of waste acres that lie scattered over the Australian continent. The gift of a single million out of this vast amount is about as insignificant as the subtraction of a grain of wheat from a peck measure; while, if a portion of country is

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converted from an unproductive wilderness into a productive garden, and stocked with the finest breeds of sheep, cattle, and horses known in Europe, the question *by whom* this is done ought to be altogether of secondary consideration. But while these million acres are thus improved, the colony in which they are situated must in like manner reap vast advantages from the valuable and costly breeds of animals which a wealthy company might introduce, but which a private individual could not: from the valuable products, also, we may expect them to introduce by means of experimental cultivation; and, last not least, from having so numerous, wealthy, and influential a body in the mother country connected with and consequently interested in the prosperity of New South Wales.

The Agricultural Company has fixed its establishment at Port Stephens, about ninety miles to the northward of Sydney, one of the finest harbours for merchant ships in the world, with the Karuer river falling into it, navigable for a distance of twelve miles. It is extraordinary that, before the arrival of Mr. Dawson, the company's agent, at this port, it was believed not a single acre of land in its vicinity was worth acceptance; yet a million acres of good arable and pasture land have been with all imaginable ease culled

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out here, superiorly watered to almost any other district in the colony; abounding in coal; and exhibiting such specimens of lime as afford the strongest hopes that this valuable mineral will hereafter be found in ample quantities, while the immense beds of shells on the harbour beach will supply all ordinary wants for many years to come.

The tract of land granted is bordered northerly by Manning's River, (navigable for twenty miles,) stretching up along its bank and extending southerly till it joins the lower branches of Hunter's River. It is watered thus on each boundary by the Karuer and Manning's rivers, and the numerous streamlets falling thereinto, and centrally by the Myall and Wolomba rivers, and five other smaller streams falling either into Smith's and Wallis's Lakes, or the sea.

There is in this district a great prevalence of dews; and I may here take occasion to observe, in illustration of my remarks on this subject in the first volume, that the moon evidently exerts a powerful influence over the dews and vapours which cover the surface of our earth. It is remarked that fogs gradually disappear on the rising of the evening moon, while such may be often seen in a moonlight night ascending slowly from the bosom of the land or water, and becoming attenuated

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in their ascent into invisible vapour. It is even a common saying among sailors toward the termination of a foggy day, "Wait till the moon rises, and she will soon eat up the fog;" and as we see the rays of the moon in this instance readily dispersing a fog which had resisted those of the sun, we may therefore conclude that in ordinary temperatures a greater evaporation is produced by the former than the latter. This dispersion of the vapours floating on the earth's surface by the influence of the moon, is effected by her attractive power, as similarly exemplified in the production of the tides; and as we find the highest tides occasioned by the conjunction of the sun and moon, we may consequently conclude that the sun elevates these watery vapours from the earth's bosom as much by its attractive power as by the influence of its heating rays. This powerful attraction of vapour by the moon would seem to denote that, in the event of that luminary and the earth being opposed to each other in a quiescent state, the whole of the moisture in that portion of the earth, in direct opposition to the moon, would be rapidly sucked up by the latter; but that in consequence of the earth revolving so rapidly on its axis, the moon is hurried beyond the sphere of attraction of the vapours she has been acting upon, before they are elevated

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to any great height, allowing them thus to descend again upon the bosom of our planet, as she rolls onwards in her course. The power of the moon over the winds is well known, as well as her influence in the drying of clothes, and the ripening of grain, both of which may be ascribed to the same attractive power for moisture: while ancients as well as moderns have attributed many of the diseases incident to the animal and vegetable kingdom to her mysterious influence; and probably this influence of the moon may be found to be more and more connected with the greater portion of the hitherto inexplicable phenomena that take place on our globe, in proportion as her yet secret history is farther developed.

A great portion of the grant above alluded to consists of grassy, thinly-timbered ranges, admirably adapted for sheep-husbandry; but there are abundance also of alluvial flats, of sufficient extent and richness for all agricultural purposes. Out of 300,000 acres, in fact, inspected by Mr. Dawson, only 100 acres were calculated to be absolutely useless; 500 more were bad, but still productive; leaving 299,400 acres of land, either excellent, or at least of very tolerable quality!

Six vessels have been wholly, and three partly freighted by the company, carrying out all manner

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of agricultural implements; seeds of all varieties; fruit-trees, olives and vines of different species; besides a number of the finest stallions and brood mares of pure blood, and of the Cleveland and poney breeds; a considerable quantity of bulls and cows of the Durham and Argyle breeds; and upwards of 2000 Merino sheep of the first quality, culled from the choicest flocks in Spain, France, Saxony, and Hungary. Able shepherds have accompanied the flocks from these countries, and individuals also have been sent out skilled in the cultivation of the vine and the olive. In fact, the agricultural concerns of the company cannot but prosper, unless there should be gross mismanagement; for, when it is known that the increase of stock in the colony averages between twenty and thirty per cent, what else can possibly prevent prosperity from crowning their efforts, since they have the land, as it were, for nothing, and can maintain all their establishment so readily from it with but an inconsiderable amount of annual outlay, and for which amount the exports to England will speedily provide.—An able person to superintend the working of the coal mines upon the property has likewise been sent out, accompanied by miners, two steam-engines, iron rail-ways, and all manner of desirable machinery.

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CHAPTER XVI.

Australian Newspapers.

It is much to be lamented that some of our journals have of late assumed a menacing and inflammatory tone, tending to deter His Excellency from following up the salutary although severe system of penal discipline lately commenced. If this *inflammatory* course should be persevered in by the colonial press, it must finally induce the mother country either to find some other destination for her convicts, or to curb forthwith the liberty which has thus ripened into license. It is quite evident that unless such a system is pursued in New South Wales as will terrify offenders in the mother country, dishonesty will in all likelihood increase, until her whole poor population become corrupted, and her police and judicial establishments such as no country, however rich, can support. Self-interest therefore will naturally suggest to her a recourse to some other mode, or some other place of punishment, which may check instead of encourage the growth of crime; while

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a more deadly blow could not be aimed at the prosperity of New South Wales than the making her no longer the depositary of criminals. It is to be hoped, however, that means may be found to avert this evil without depriving the colony of the great benefit of free discussion, by a simple enactment declaring libellous all writings having a tendency to instil into the minds of criminals undergoing the penalties of the law a belief that they are oppressed, or which in fact may render them any way discontented with the acts of the government,—leaving such actions to the verdict of a special jury drawn from the grand jury list, so as to secure individuals of independence and respectability upon it.

The generality of newspaper editors, like individuals in every other profession, will be naturally led to follow that course which promises most profit; and as in New South Wales writings of the description which I am deprecating cannot fail to be popular, and where the concoction of libels pays even better than the breeding of sheep, it is not much to be wondered at that they should be persevered in. But, on the other hand, it is only a free press that can materially contribute to protect a colony like New South Wales from the effects of misgovernment, or indeed to secure the personal

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liberty of the subject; for by reason of the immense influence which the local administration possesses, (from having the sole disposal of the ungranted lands, together with the disposal of the convict-servants,) few individuals, either in private situations, or even when forming part of any legislative body however popularly constituted, would be bold enough to oppose the measures of government, seeing their prosperity could be either essentially promoted or injured at the mere will of the latter: but as the editor of a newspaper will *gain* more by writing to please the body of the people than by truckling to the government, and as the majority of mankind have a stronger appetite for censure than for praise of those above them, he will naturally keep a sharp look-out with that view, while the government will in like manner have a powerful motive to avoid giving just cause of blame.

The question of "What is a libel?" will perhaps never be capable of such strict definition as to admit of a legislative enactment *fully* explaining it, and therefore great latitude must possibly always be allowed to jurymen in such cases, and it is perhaps well for the cause of liberty that it should be so. There cannot be the slightest possible necessity for employing a lawyer in a *written* or *printed* libel case, because the whole being here

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plainly and palpably evident, the jury can perfectly well decide on the matter without the help of a lawyer to expound; and they will in all probability decide more justly from their judgments not being warped by the discoloured and tortuous oratory of the "perverters of the law." Why could not the plaintiff be allowed to lodge a notice in court of his intention to bring such a libel case forward before the court on a certain day, lodging a moderate sum in court to be forfeited to the defendant after paying expenses, in case of his not appearing, or the matter being judged frivolous? The officer of the court might thus give notice to the defendant of the day the complaint was going to be made, and furnish him with a copy of the alleged libel. All that would now require to be done would be to read the libel in court, and after hearing the defendant's written defence, and the judge's opinion, the jury would retire and pronounce their verdict. By this course, all vexatious prosecutions to put money in some pettifogging attorney's pocket would be put an end to, while the plaintiff could not but feel better satisfied with this mode of procedure than the one now in practice. Why does not the law, which obliges an individual to pay a needless fee to a lawyer, also oblige him to take a needless dose of physic

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at the same time?—a matter of *equity* which the doctor has as righteous a plea to insist on as his "learned brother." If there be often much quackery employed by the doctors to *induce* the community to take their drugs, they have never attempted the aid of legal *measures* to *compel* them; and while they have been endeavouring for centuries, contrary to their own interest, to do away with the necessity of the public swallowing their physic, by pointing out the best methods of preserving health, the lawyers, on the contrary, have been constantly furthering more and more their own interests in disordering the body politic by the noxious laws with which they have been inundating us, Messrs. Bentham and Hammond being the only two individuals of the "learned brotherhood" who have voluntarily attempted something like a purification of their brethren's source of wealth and the public's source of evil; and let it be remembered, these are *retired* lawyers. Libels are like the scorching influence of a fire, operating in intensity according to the smallness of the circle in which they are confined; and hence libels, which in England would evaporate in a day, in this colony are often the source of keen and bitter recrimination and reflections for months. Hence, every facility ought to be given to the

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putting down of libel, more particularly in a colony, because personalities being eagerly longed after in every community, there will consequently be always a competition among the generality of editors (who, like their other brethren in the community, study their own interests more than those of the public) to gratify this depraved appetite; for the editor who acted otherwise would be like the man who foolishly wished to continue honest among a community of thieves (toward whom efficient means were not pursued to make equally honest), and who was forced at last, by the losing nature of his calling, to conform to the same course of policy.

THE END.

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